

STATE OF NORTH DAKOTA

---

# JOURNAL OF THE HOUSE

of the

REGULAR SESSION

and

SPECIAL SESSION

of the

# TWENTY-FIFTH LEGISLATIVE ASSEMBLY

---

Regular Session, January 5th to March 5th, Inclusive  
Special Session, March 8th to March 10th, Inclusive

Both Held in State Capitol,  
Bismarck, North Dakota

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MATH DAHL, Speaker

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MINNIE D. CRAIG, Chief Clerk

BUY "DAKOTA MAID" FLOUR



BISMARCK TRIBUNE

39000

# OFFICERS AND EMPLOYEES

of the  
**HOUSE OF REPRESENTATIVES OF NORTH DAKOTA**  
 for the  
**TWENTY-FIFTH LEGISLATIVE ASSEMBLY**  
 1937

Position	Name	Home Address
Chief Clerk .....	Minnie D. Craig .....	Esmond
First Ass't. Chief Clerk .....	J. M. Anderson .....	Oberon
Second Ass't Chief Clerk .....	Paul C. Bennett .....	Bismarck
Desk Reporter .....	Helen Ulsrud .....	Bismarck
Sergeant-at-Arms .....	Bert Monaghan .....	Bismarck
Chief Stenographer .....	} Mrs. Clara Kane .....	Fargo
		} Mabel Engeseth .....
Stenographer .....	Margaret M'Donald, Grand Forks	
Stenographer .....	Olive LaBerge .....	Grafton
Stenographer .....	Marie Garske .....	Bismarck
Stenographer .....	Lois Dunham .....	New Rockford
Chief Engrossing and En-rolling Clerk .....	V. L. Gilbreath .....	Mott
Ass't. Engrossing and En-rolling Clerk .....	Arnold E. Banse .....	Perth
Bill Clerk .....	Walter Bubel .....	Center
Clerk, Committee on Appropriations .....	S. T. Kvamen .....	Minot
Clerk, Committee on State Affairs .....	J. J. Fisher .....	Livona
Clerk, Committee on Judiciary .....	Asher Anderson .....	Hannaford
Clerk, Committee on Tax and Tax Laws .....	Emil Broten .....	Rugby
Chief Mailing Clerk .....	H. C. Epping .....	Hope
Asst. Mailing Clerk .....	Gottlieb Diede .....	Antelope
Asst. Mailing Clerk .....	Henry Link .....	Larimore
Asst. Mailing Clerk .....	Peter W. Haarsager .....	Litchville
Page and Committee Clerk .....	Andre Gratten .....	Walhalla
Voucher Clerk .....	Ben Fedje .....	Bonetrail
Postmistress .....	Mrs. Helga Kolstad .....	Steele
Asst. Postmaster .....	Ray Cooper .....	Buxton
Bill Room Clerk .....	John S. Hove .....	Hoople
Committee Clerk and Stenographer .....	Sophia Tengesdal .....	Maxbass
Messenger to Governor .....	Stephen Theil .....	Glen Ullin
Assistant Sergeant-at-Arms .....	Herman S. Lybeck .....	Pettibone
Telephone Attendant .....	Mrs. Ruby Williams, Devils Lake	
Chief Proofreader .....	F. B. Sharkey .....	Wyndmere
Asst. Proofreader .....	Mrs. Sena Ingberg .....	Ray
Committee Clerk .....	Howard Crockett .....	Langdon
Committee Clerk .....	C. R. Weber .....	Jamestown



Position	Name	Home Address
Doorkeeper .....	W. S. Place.....	Ranger
Doorkeeper .....	E. A. Ernest .....	Beach
Doorkeeper .....	Anton J. Schmidt .....	Napoleon
Doorkeeper .....	I. M. Hanson .....	Petersburg
Doorkeeper .....	Jacob Meier .....	Goodrich
Cloak Room Attendant .....	Mrs. M. M. Ruder .....	Bismarck
Cloak Room Attendant .....	Oscar O. Odegaard.....	Pekin
Cloak Room Attendant and Marshal .....	F. L. Bowerman .....	Clement
Page .....	Kenneth Morgan .....	Walcott
Page .....	James J. Flynn .....	Jamestown
Page .....	Wm. (Bud) Rathbun.....	Crystal
Page .....	David Foerderer .....	Wishek
Janitor .....	Alfred Gast .....	Tyler
Janitor .....	John Byrne .....	Nortonville
Janitor .....	Nels J. Peterson .....	Watford City
Janitor .....	Andreas Wolf .....	Hague
Janitor .....	T. A. Crawford .....	Velva
Night Watchman .....	J. M. Joiner .....	Berthold
Chaplains .....	Ministerial Association of Bismarck and Mandan.	

## HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina.....	Alex Dalzell.....	Walhalla
		Franklin Page.....	Hamilton
		Earl D. Symington.....	Neché
2.	Pt. of Ward.....	Chas. H. Black.....	Foxholm
3.	Pt. of Walsh.....	Palmer Levin.....	Park River
		Harry O'Brien.....	Park River
4.	Pt. of Walsh.....	O. R. LaBerge.....	Grafton
5.	Pt. of G. Forks.....	Wm. H. Wick.....	Larimore
6.	Pt. of G. Forks.....	Geo. H. Saumur.....	Grand Forks
7.	Pt. of G. Forks.....	Targie Trydahl.....	Thompson
8.	Traill.....	Henry Leum.....	Mayville
		H. W. McInnes.....	Kelso
		L. C. Odegard.....	Buxton
9.	Pt. of Cass.....	K. A. Fitch.....	Fargo
		Arthur C. Johnson.....	Fargo
		Edward Kraus.....	Fargo
		W. H. Shure.....	Fargo
10.	Pt. of Cass.....	L. L. Twichell.....	Fargo
		Frank H. Beaton.....	Fargo
11.	Pt. of Cass.....	Otis Nelson.....	Mapleton
		Carl H. Dittmer.....	Leonard
12.	Pt. of Richland.....	A. J. Kapaun.....	Alice
		J. D. Holthusen.....	Tyler
13.	Sargent.....	Dan R. Jones.....	Wahpeton
		A. Z. Nelson.....	Cayuga
14.	Ransom.....	Ray E. Olson.....	Forman
		John Magill.....	Verona
15.	Pt. of Barnes.....	H. G. Severson.....	Ft. Ransom
		Sam Oglesby.....	Wimbleton
16.	Griggs-Steele.....	Harvey B. Knudson.....	Finley
		J. H. Langford.....	Cooperstown
		Edw. Savre.....	Cooperstown
17.	Nelson.....	N. O. Huseby.....	Michigan
		P. K. Holm.....	Pekin
18.	Cavalier.....	Harvey Brusseau.....	Walhalla
		Frank Beasley.....	Fairdale
		Mandus Hultstrand.....	Milton
19.	Rolette.....	Carl Anfinson.....	Mylo
		Jacob Urschel.....	St. John
20.	Benson.....	C. H. Hofstrand.....	Churchs Ferry
		Gust Tweten.....	Oberon
21.	Ramsey.....	Edwin Traynor.....	Starkweather
		Elmer Gessner.....	Penn
		Clarence Gilberg.....	Devils Lake
22.	Towner.....	D. S. Blair.....	Maza
		L. O. Norheim.....	Rock Lake

Dist.	County	Name	Address
23.	Stutsman	L. R. Burgum	Jamestown
		Ed. Dullea	Pingree
		Emil Frey	Jamestown
		Harry J. Morris	Jamestown
24.	LaMoure	Elliott T. Knutson	LaMoure
		John C. Sandness	LaMoure
25.	Dickey	H. E. Jury	Fullerton
		G. Wendland	Kulm
26.	Emmons	Math Dahl	Hazelton
		Val P. Wolf	Hague
27.	Burleigh	Joseph D. Byrne	Bismarck
		Richard Day	Moffit
		J. M. Thompson	Wilton
28.	Bottineau	Peter Peterson	Antler
		Fred J. Shurr	Lansford
		Thos. A. White	Kramer
29.	Pt. of Ward	A. W. Benno	Minot
		Ole G. Frosaker	Minot
		M. D. Graham	Burlington
		E. K. Livingston	Minot
30.	Morton	W. J. Godwin	Mandan
		Herman Just, Jr.	New Salem
		Gus A. Schauss	Mandan
31.	Stark	Philip Krank	Dickinson
		Mike Obach	Zenith
		Ignatz Sticka	New England
32.	Eddy-Foster	Carl H. Pewe	McHenry
		W. W. Treffry	New Rockford
33.	Wells	Leonas Myers	Bowdon
		Calvin Schimke	Harvey
34.	McHenry	W. O. Biberdorf	Gardena
		L. E. Goodlaxon	Drake
		H. F. Niewoehner	Upham
35.	Kidder-Sheridan	John J. Adam	Anamoose
		Ole Akland	Denhoff
36.	McIntosh-Logan	John Billigmeier	Fredonia
		Robert Greiser	Wishek
		C. P. Ritter	Burnstad
37.	Pt. of Richland	Axel Peterson	Walcott
		H. C. Williams	Lidgerwood
38.	Pt. of Barnes	James G. Thoreson	Fingal
39.	Billings, Bowman, Golden Valley & Slope	H. W. Brown	Beach
		L. K. Morland	Scranton
		C. T. Olson	Bowman
40.	Burke-Divide	R. W. Frazier	Crosby
		Ed. McIntee	Northgate
		Robert Rait	Kermit
41.	McKenzie	Bernt Anderson	Charlson
		Oscar W. Hagen	Watford City
42.	Pierce	Paul A. Sand	Balta
		Wm. H. Tuff	Barton
43.	Renville	C. M. Peterson	Tolley

Dist.	County	Name	Address
44.	Mountrail.....	Frank J. Haines.....	Stanley
		Ole B. Stray.....	Stanley
45.	Williams.....	Geo. Bjornson.....	Ray
		Wm. Ireland.....	Corinth
		Iver Solberg.....	Ray
46.	McLean.....	Arlo Beggs.....	Turtle Lake
		H. R. Freitag.....	Max
		Nellie Olson.....	Wilton
47.	Grant-Sioux.....	James Caddell.....	Selfridge
		Fred Seibel.....	Elgin
48.	Mercer, Oliver & Dunn.....	C. W. Bieloh.....	Hazen
		Nels P. Jensen.....	Hazen
		Harry Semerad.....	New Hradec
		Wm. Holmquist.....	Reeder
49.	Adams-Hettinger..	O. C. Olson.....	Hettinger

## SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina.....	Thomas Whelan.....	St. Thomas
2.	Pt. of Ward.....	Wm. J. Lowe.....	Kenmare
3.	Pt. of Walsh.....	Ed. Lian.....	Fairdale
4.	Pt. of Walsh.....	George V. Coffey.....	Minto
5.	Pt. of G. Forks.....	Oliver Bilden.....	Northwood
6.	Pt. of G. Forks.....	N. N. Nelson.....	Emerado
7.	Pt. of G. Forks.....	John L. Hulteng.....	Grand Forks
8.	Traill.....	Syver Vinje.....	Hillsboro
9.	Pt. of Cass.....	Arthur W. Fowler.....	Fargo
10.	Pt. of Cass.....	Max H. Strehlow.....	Kindred
11.	Pt. of Cass.....	Wm. Watt.....	Leonard
12.	Pt. of Richland.....	Melvin P. Johnson.....	Wahpeton
13.	Sargent.....	A. N. Lavik.....	Milnor
14.	Ransom.....	John Crandall.....	Lisbon
15.	Pt. of Barnes.....	Fred J. Fredrickson.....	Valley City
16.	Griggs-Steele.....	George Kolpin.....	Cooperstown
17.	Nelson.....	C. S. Aasen.....	Aneta
18.	Cavalier.....	Ed. Greene.....	Mona
19.	Rolette.....	H. G. Guenther.....	Rolla
20.	Benson.....	C. W. Fine.....	Sheyenne
21.	Ramsey.....	G. F. Drew.....	Devils Lake
22.	Towner.....	B. W. Lemke.....	Cando
23.	Stutsman.....	Ben Gilbertson.....	Jamestown
24.	LaMoure.....	Milton R. Young.....	Berlin
25.	Dickey.....	E. Magoffin.....	Monango
26.	Emmons.....	Harry C. Lynn.....	Linton
27.	Burleigh.....	James W. Guthrie.....	Bismarck
28.	Bottineau.....	Wm. A. Thatcher.....	Bottineau
29.	Pt. of Ward.....	J. C. Blaisdell, Jr.....	Minot
30.	Morton.....	James T. McGillic.....	Mandan
31.	Stark.....	J. P. Cain.....	Dickinson
32.	Eddy-Foster.....	Otto Topp.....	Grace City
33.	Wells.....	R. M. Streibel.....	Fessenden
34.	McHenry.....	Ole Ettestad.....	Balfour
35.	Kidder-Sheridan.....	C. C. Morrison.....	Steele
36.	McIntosh-Logan.....	William Kroeber.....	Napoleon
37.	Pt. of Richland.....	Andrew Skarvold.....	Christine
38.	Pt. of Barnes.....	A. C. Nelson.....	Fingal
39.	Billings, Bowman, Golden Valley & Slope.....	Gust Wog.....	Belfield
Dist.	County	Name	Address
40.	Burke-Divide.....	R. A. Owings.....	Lignite
41.	McKenzie.....	J. K. Brostuen.....	Alexander
42.	Pierce.....	F. T. Gronvold.....	Rugby
43.	Renville.....	W. J. Trout.....	Sherwood
44.	Mountrail.....	Axel Olson.....	Parshall
45.	Williams.....	Henry Williams.....	Appam
46.	McLean.....	E. C. Stucke.....	Garrison
47.	Grant-Sioux.....	William Kamrath.....	Leith
48.	Mercer, Oliver & Dunn.....	E. F. Mutchler.....	Center
49.	Adams-Hettinger.....	Herman Thorson.....	Bucyrus

## MEMBERS OF HOUSE, 1937

Dist.	NAME	ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	SESSIONS ATTENDED
1.	Dalzell, Alex	Walhalla	Farmer	Married	North Dakota	1884	1935-37
1.	Page, Franklin	Hamilton	Farmer, Banker	Married	North Dakota	1890	1935-37
1.	Symington, Earl D.	Nече	Farmer	Married	North Dakota	1893	1933 to 37
2.	Black, Chas. D.	Foxholm	Farmer	Married	Wisconsin	1885	1935-37
3.	Levin, Palmer	Park River	Farmer	Married	North Dakota	1893	1935-37
3.	O'Brien, Harry	Park River	Publisher	Married	North Dakota	1895	1935-37
4.	LaBerge, O. R.	Grafton	Retired	Married	North Dakota	1894	1937
5.	Wick, Wm. H.	Larimore	Farmer	Married	Iowa	1870	1937
6	Saumur, Geo. H.	Grand Forks	Farmer	Married	North Dakota	1892	1935-37
7.	Trydahl, Targie	Thompson	Blacksmith	Married	Norway	1883	1937
8.	Leum, Henry	Mayville	Attorney	Married	North Dakota	1886	1937
8.	McInnes, H. W.	Kelso	Farmer	Married	North Dakota	1885	1933-37
8.	Odegard, L. C.	Buxton	Farmer	Married	Iowa	1877	1933 to 37
9.	Fitch, K. A.	Fargo	Insurance Broker	Married	North Dakota	1899	1931-33-37
9.	Johnson, Art C.	Fargo	Contractor	Married	North Dakota	1891	1933-37
9.	Kraus, Edward	Fargo	Theatre Manager	Married	Iowa	1894	1937
9.	Shure, W. H.	Fargo	Lawyer	Married	Illinois	1886	1937
9.	Twitchell, L. L.	Fargo	Lawyer	Single	Minnesota	1872	1913 to 37
10.	Beaton, Frank H.	Fargo	Farmer	Married	North Dakota	1876	1937
10.	Nelson, Otis	Mapleton	Farmer	Married	Minnesota	1886	1937
11.	Dittmer, Carl H.	Leonard	Farmer	Married	North Dakota	1889	1933-35-37
11.	Kapaun, A. J.	Alice	Farmer	Married	Wisconsin	1895	1935-37
12.	Holthusen, J. D.	Tyler	Farmer	Married	North Dakota	1881	1927 to 37
12.	Jones, Dan	Wahpeton	Real Estate	Married	Wisconsin	1871	1933-37
12.	Nelson, A. Z.	Cayuga	Farmer	Single	North Dakota	1896	1937
13.	Olson, Ray E.	Forman	Office Worker	Married	North Dakota	1891	1937
14.	Magill, John	Verona	Farmer	Single	Ireland	1881	1937
14.	Severson, H. G.	Ft. Ransom	Farmer	Married	Rhode Island	1896	1937

## MEMBERS OF HOUSE, 1937—(Continued)

Dist.	NAME	ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	SESSIONS ATTENDED
15.	Oglesby, Sam	Wimbledon	Farmer	Married	Canada	1865	1933-35-37
16.	Knudson, Harvey B.	Finley	Lawyer	Married	North Dakota	1903	1937 -
16.	Langford, J. H.	Cooperstown	Farmer	Married	Canada	1871	1935-37
16.	Savre, Edw.	Cooperstown	Farmer	Married	Iowa	1873	1931 to 37
17.	Huseby, N. O.	Michigan	Farmer	Married	Norway		1937
17.	Holm, P. K.	Pekin	Farmer	Married	Norway	1875	1937
18.	Brusseau, Harvey	Walhalla	Farmer	Married	North Dakota	1898	1935-37
18.	Beasley, Frank	Fairdale	Farmer	Married	Arkansas	1883	1937
18.	Hultstrand, Mandus	Milton	Farmer	Married	North Dakota	1885	1937
19.	Anfinson, Carl	Mylo	Farmer	Married	North Dakota	1879	1929 to 37
19.	Urschel, Jacob	St. John	Farmer	Single	Nebraska	1887	1935
20.	Hofstrand, C. H.	Churchs Ferry	Farmer	Married	North Dakota	1890	1937
20.	Tweten, Gust	Oberon	Farmer	Married	Minnesota	1878	1937
21.	Traynor, Edwin	Starkweather	Farmer	Married	North Dakota	1885	1923 to 37
21.	Gessner, Elmer	Penn	Merchant	Married	North Dakota	1894	1937
21.	Gilberg, Clarence	Devils Lake	Restaurant Owner	Single	North Dakota	1909	1937
22.	Blair, D. S.	Maza	Farmer	Married	Ontario	1881	1937
22.	Norheim, L. O.	Rock Lake	Farmer	Married	Minnesota	1873	1935-37
23.	Burgum, L. R.	Jamestown	Minister	Married	North Dakota	1890	1935-37
23.	Dullea, Ed.	Pingree	Farmer	Married	Ireland	1875	1935-37
23.	Frey, Emil	Jamestown	Farmer	Married	North Dakota	1883	1937
23.	Morris, Harry	Jamestown	Printer	Married	Minnesota	1889	1935-37
24.	Knutson, Elliott T.	LaMoure	Business Man	Single	North Dakota	1892	1937
24.	Sandness, John C.	LaMoure	Farmer	Married	North Dakota	1891	1933-37
25.	Jury, H. E.	Fullerton	Farmer	Married	Illinois	1877	1937
25.	Wendland, G.	Kulm	Farmer	Married	Russia	1886	1935-37
26.	Dahl, Math	Hazelton	Farmer	Married	Norway	1885	1931 to 37
26.	Wolf, Val P.	Hague	Farmer	Single	North Dakota	1901	1931 to 37

## MEMBERS OF HOUSE, 1937—(Continued)

Dist.	NAME	ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	SESSIONS ATTENDED
27.	Byrne, Joeph D.	Bismarck	Insurance	Single	North Dakota	1914	1937
27.	Day, Richard	Moffit	Farmer	Married	Oregon	1905	1937
27.	Thompson, J. M.	Wilton	Farmer	Married	Iowa	1864	1925 to 37
28.	Peterson, Peter	Antler	Farmer	Married	Minnesota	1878	1933 to 37
28.	Shurr, Fred J.	Lansford	Farmer	Married	Minnesota	1873	1923 to 37
28.	White, Thos. A.	Kramer	Farmer	Married	North Dakota	1903	1937
29.	Benno, W. W.	Minot	Farmer	Married	Minnesota	1888	1937
29.	Frosaker, Ole G.	Minot	Auto Dealer	Married	Norway	1879	1935-37
29.	Graham, M. D.	Burlington	Farmer	Married	West Virginia	1878	1935-37
29.	Livingston, E. K.	Minot	Farmer	Married	Illinois	1879	1937
30.	Godwin, W. J.	Mandan	R. R. Man	Married	Virginia	1885	1933-37
30.	Just, Herman, Jr.	New Salem	Merchant	Married	Indiana	1884	1937
30.	Schauss, Gus A.	Mandan	Farmer	Married	North Dakota	1891	1933 to 37
31.	Krank, Philip	Dickinson	Farmer	Married	Russia	1893	1937
31.	Obach, Mike	Zenith	Farmer	Married	Poland	1899	1937
31.	Sticka, Ignatz	New England	Farmer	Married	Russia	1870	1933-37
32.	Pewe, Carl H.	Juanita	Farmer	Single	Iowa	1897	1937
32.	Theffry, W. W.	New Rockford	Farmer	Married	Michigan	1877	1927-37
33.	Myers, Leonas	Bowdon	Farmer	Married	Kansas	1887	1935-37
33.	Schimke, Calvin	Harvey	Farmer	Married	North Dakota	1899	1937
34.	Biberdorf, W. O.	Gardena	Farmer	Married	Russia	1883	1935-37
34.	Goodlaxon, L. E.	Drake	Farmer	Single	Wisconsin	1869	1935-37
34.	Niewoehner, H. F.	Upham	Farmer	Married	Kentucky	1876	1931 to 37
35.	Adam, John J.	Anamoose	Farmer	Married	Roumania	1877	1935-37
35.	Akland, Ole	Denhoff	Farmer	Married	Norway	1883	1937
36.	Billigmeier, Jno.	Fredonia	Farmer	Married	Russia	1884	1937
36.	Greiser, Robt.	Wishek	Publisher	Married	Kansas	1890	1937
36.	Ritter, C. P.	Burnstad	Farmer	Married	Russia	1894	1935-37



## MEMBERS OF HOUSE, 1937—(Continued)

Dist.	NAME	ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	SESSIONS ATTENDED
37.	Peterson, Axel	Walcott	Farmer	Single	North Dakota	1891	1937
37.	Williams, H. C.	Lidgerwood	Farmer	Married	Minnesota	1876	1935-37
38.	Thoreson, Jas. G.	Fingal	Farmer	Married	North Dakota	1883	1935-37
39.	Brown, W. W.	Beach	Farmer	Married	Minnesota	1879	1937
39.	Morland, L. K.	Scranton	Farmer	Married	Norway	1887	1937
39.	Olson, C. T.	Bowman	Farmer	Married	Wisconsin	1884	1933-37
40.	Frazier, R. W.	Crosby	Engineer	Married	Illinois	1883	1937
40.	McIntee, Ed	Northgate	Farmer	Married	Minnesota	1877	1937
40.	Rait, Robert	Kermit	Farmer	Married	Scotland	1874	1937
41.	Anderson, Bernt	Charlson	Farmer	Married	Norway	1886	1937
41.	Hagen, Oscar W.	Watford City	Farmer	Married	North Dakota	1884	1937
42.	Sand, Paul	Balta	Former Merchant	Married	Minnesota	1884	1935-37
42.	Tuff, Wm. H.	Barton	Farmer	Married	Canada	1880	1935-37
43.	Peterson, C. M.	Tolley	Machinery Dealer	Married	North Dakota	1907	1937
44.	Haines, Frank J.	Stanley	Retired	Married	Iowa	1871	1917-19-37
44.	Stray, Ole B.	Stanley	Farmer	Married	Norway	1867	1935-37
45.	Bjornson, Geo.	Ray	Barber	Married	Norway	1901	1937
45.	Ireland, Wm.	Corinth	Farmer	Married	Iowa	1882	1937
45.	Solberg, Iver	Ray	Farmer	Married	North Dakota	1904	1937
46.	Beggs, Arlo	Turtle Lake	Farmer	Married	North Dakota	1913	1935-37
46.	Freitag, H. R.	Max	Insurance	Married	Wisconsin	1875	1913-15-37
46.	Olson, Nellie	Wilton	Housewife	Married	North Dakota	1896	1937
47.	Caddell, James	Selfridge	Farmer	Married	North Dakota	1892	1935-37
47.	Seibel, Fred	Elgin	Farmer	Married	Illinois	1897	1935-37
48.	Bieloh, C. W.	Hazen	Oil Dealer, Farmer	Married	Wisconsin	1897	1937
48.	Jensen, Nels P.	Hazen	Farmer	Married	Denmark	1879	1933-35-37
48.	Semerad, Harry	New Hradec	Farmer	Married	North Dakota	1902	1937
49.	Holmquist, Wm.	Reeder	Farmer	Married	Minnesota	1869	1937
49.	Olson, O. C.	Hettinger	Farmer	Married	Iowa	1873	1931 to 37

# Journal of the House



## Twenty-fifth Legislative Assembly

### FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
January 5, 1937.

At the hour of twelve o'clock, Meridian, the fifth day of January, 1937, being the day and hour designated by law for the convening of the Legislative Assembly of the State of North Dakota, the members-elect of the House of Representatives of the Twenty-fifth Legislative Assembly, assembled in the House Chamber in the State Capitol Building at Bismarck, North Dakota, and were called to order by Walter S. Martin, Chief Clerk of the House of Representatives of the Twenty-fourth Legislative Assembly of the State of North Dakota.

The following communication, being the list of the qualified members as certified to by the Secretary of State, was read:

#### DEPARTMENT OF STATE Bismarck, N. Dak.

January 5, 1937.

Clerk of the House of Representatives,  
Twenty-fifth Legislative Assembly,  
Bismarck, North Dakota.

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly qualified as members of the House of Representatives of the Twenty-fifth Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pembina.....	Alex Dalzell.....	Walhalla
		Franklin Page .....	Hamilton
		Earl D. Symington.....	Neche
2.	Pt. of Ward.....	Chas. H. Black.....	Foxholm
3.	Pt. of Walsh.....	Palmer Levin.....	Park River
		Harry O'Brien .....	Park River
4.	Pt. of Walsh.....	O. R. LaBerge.....	Grafton

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Dist.	County	Name	Address
5.	Pt. of G. Forks.....	Wm. H. Wick.....	Larimore
6.	Pt. of G. Forks.....	Geo. H. Saumur.....	Grand Forks
7.	Pt. of G. Forks.....	Targie Trydahl.....	Thompson
8.	Trail.....	Henry Leum.....	Mayville
		H. W. McInnes.....	Kelso
		L. C. Odegard.....	Buxton
9.	Pt. of Cass.....	K. A. Fitch.....	Fargo
		Arthur C. Johnson.....	Fargo
		Edward Kraus.....	Fargo
		W. H. Shure.....	Fargo
		L. L. Twichell.....	Fargo
10.	Pt. of Cass.....	Frank H. Beaton.....	Fargo
		Otis Nelson.....	Mapleton
11.	Pt. of Cass.....	Carl H. Dittmer.....	Leonard
		A. J. Kapaun.....	Alice
12.	Pt. of Richland.....	J. D. Holthusen.....	Tyler
		Dan R. Jones.....	Wahpeton
13.	Sargent.....	A. Z. Nelson.....	Cayuga
		Ray E. Olson.....	Forman
14.	Ransom.....	John Magill.....	Verona
		H. G. Severson.....	Ft. Ransom
15.	Pt. of Barnes.....	Sam Oglesby.....	Wimbleton
16.	Griggs-Steele.....	Harvey B. Knudson.....	Finley
		J. H. Langford.....	Cooperstown
		Edw. Savre.....	Cooperstown
17.	Nelson.....	N. O. Huseby.....	Michigan
		P. K. Holm.....	Pekin
18.	Cavalier.....	Harvey Brusseau.....	Olga
		Frank Beasley.....	Fairdale
		Mandus Hultstrand.....	Milton
19.	Rolette.....	Carl Anfinson.....	Mylo
		Jacob Urschel.....	St. John
20.	Benson.....	C. H. Hofstrand.....	Churchs Ferry
		Gust Tweten.....	Oberon
21.	Ramsey.....	Edwin Traynor.....	Starkweather
		Elmer Gessner.....	Penn
		Clarence Gilberg.....	Devils Lake
22.	Towner.....	D. S. Blair.....	Maza
		L. O. Norheim.....	Rock Lake
23.	Stutsman.....	L. R. Burgum.....	Jamestown
		Ed. Dullea.....	Pingree
		Emil Frey.....	Jamestown
		Harry J. Morris.....	Jamestown
24.	LaMoure.....	Elliott T. Knutson.....	LaMoure
		John C. Sandness.....	LaMoure
25.	Dickey.....	H. E. Jury.....	Fullerton
		G. Wendland.....	Kulm
26.	Emmons.....	Math Dahl.....	Hazleton
		Val P. Wolf.....	Hague
27.	Burleigh.....	Joseph D. Byrne.....	Bismarck
		Richard Day.....	Moffit
		J. M. Thompson.....	Wilton
28.	Bottineau.....	Peter Peterson.....	Antler
		Fred J. Shurr.....	Lansford
		Thos. A. White.....	Kramer

Dist.	County	Name	Address
29.	Pt. of Ward	A. W. Benno	Minot
		Ole G. Frosaker	Minot
		M. D. Graham	Burlington
30.	Morton	E. K. Livingston	Minot
		W. J. Godwin	Mandan
		Herman Just, Jr.,	New Salem
31.	Stark	Gus A. Schauss	Mandan
		Philip Krank	Dickinson
		Mike Obach	Zenith
32.	Eddy-Foster	Ignatz Sticka	New England
		Carl H. Pewe	McHenry
		W. W. Treffry	New Rockford
33.	Wells	Leonas Myers	Bowdon
		Calvin Schimke	Harvey
34.	McHenry	W. O. Biberdorf	Gardena
		L. E. Goodlaxon	Drake
		H. F. Niewoehner	Upham
35.	Kidder-Sheridan	John J. Adam	Anamoose
		Ole Akland	Denhoff
36.	McIntosh-Logan	John Billigmeier	Fredonia
		Robert Greiser	Wishek
		C. P. Ritter	Burnstad
37.	Pt. of Richland	Axel Peterson	Walcott
		H. C. Williams	Lidgerwood
38.	Pt. of Barnes	James G. Thoreson	Fingal
39.	Billings, Bowman, Golden Valley & Slope	H. W. Brown	Beach
		L. K. Morland	Scranton
		C. T. Olson	Bowman
40.	Burke-Divide	R. W. Frazier	Crosby
		Ed. McIntee	Northgate
		Robert Rait	Kermit
41.	McKenzie	Bernt Anderson	Charlson
		Oscar W. Hagen	Watford City
42.	Pierce	Paul A. Sand	Balta
		Wm. H. Tuff	Barton
		C. M. Peterson	Tolley
43.	Renville	Frank J. Haines	Stanley
44.	Mountrail	Ole B. Stray	Stanley
		Geo. Bjornson	Ray
45.	Williams	Wm. Ireland	Corinth
		Iver Solberg	Ray
		Arlo Beggs	Turtle Lake
46.	McLean	H. R. Freitag	Max
		Nellie Olson	Wilton
		James Caddell	Selfridge
47.	Grant-Sioux	Fred Seibel	Elgin
		C. W. Bieloh	Hazen
48.	Mercer, Oliver & Dunn	Nels P. Jensen	Hazen
		Harry Semerad	New Hradec
		Wm. Holmquist	Reeder
49.	Adams-Hettinger	O. C. Olson	Hettinger

In Witness Whereof, I have hereunto set my hand and

affixed the Great Seal of the State of North Dakota, this 5th day of January, A. D. 1937.

(SEAL) JAMES D. GRONNA,  
Secretary of State.

So the roll was called and there were 110 members present, Representatives Billigmeier, LaBerge and Magill being absent, so a quorum was declared present.

Representative Godwin moved that the Chief Clerk appoint a committee of three to escort Chief Justice Christianson of the State Supreme Court to the rostrum.

Which motion prevailed.

The Chief Clerk appointed Representatives Godwin, Myers and Twichell to escort Chief Justice Christianson to the rostrum.

Chief Justice Christianson, upon being escorted to the rostrum, addressed the members as follows:

"Members of the House of Representatives: The Constitution requires that every member of the lawmaking assembly of North Dakota, that is both the House and the Senate, before entering upon the discharge of his or her duty must take and subscribe an oath of office as provided in Section 211 of the Constitution. I believe there has already been distributed here a printed form of oath of office. It will be necessary for you to write your name in the body of it and also sign it on the bottom line and I will then sign it below and file it with the appropriate authorities so your oath will be on record."

The oath of office was then administered to the 110 members present.

Reverend Benjamin Schlipf of Bismarck offered prayer.

The Chief Clerk announced that the first order of business would be the election of a Speaker to preside over the House during the session, and that nominations were now in order.

Representative Olson of Bowman county, in presenting the name of H. W. McInnes, Representative from Traill county, spoke as follows:

"I have in mind a man, a member of the House, for Speaker, that I have known for a good many years; a man that I am proud to recommend, a man of the farmers, a man that has been State Vice President of the Farmers Union for about five years, a man that is absolutely qualified for the job, and can do a good job of it, is well capable of handling it. I wish to present for your consideration Mr. H. W. McInnes of Traill county."

Representative Wolf, of Emmons county, presented the name of Representative Math Dahl of Emmons county as a candidate for the position of Speaker, speaking as follows:

"I want to place in nomination for Speaker of this House

the name of a man who is known all over the state. He is a capable man, is efficient, fair in all his dealings, and is experienced. If he is elected to the responsible position of Speaker I know every man in this House will receive fair treatment at his hands. He has been a citizen of this state for a good many years, and he has been active in movements for the best interests of the common people of the state for many years. He is well thought of by his constituents, and he has been sent up here from that district to represent those people for four consecutive sessions. I wish to present the name of Mr. Math Dahl from Emmons county."

Representative Burgum of Stutsman county, in presenting the name of Representative J. M. Thompson of Burleigh county, spoke as follows:

"In behalf of the Democratic group in this House I desire to present the name of a man who has been a member of the House for the past six sessions, and is now beginning his seventh session. I refer to J. M. Thompson of the Twenty-seventh District. Mr. Thompson is known to some of the older members of this House, and I am sure that they will be in accord with this statement—that throughout the sessions in which he has participated in the affairs of the House, he has won for himself the esteem of the members of all factions and parties, and I know that those who will become acquainted with him in this session will be likewise impressed with his fairness, generosity, his honesty and ability. In fact, Mr. Thompson has been so consecutively elected to the House from Burleigh county, and so impressed himself upon the citizenship of that county, that now it has become a habit for Burleigh county to send an entire Democratic delegation to the state legislature. We present his name feeling that because of his long experience, his long residence in the state, and his particular experience in this House and association with the membership, past and present, his honesty and ability, he will make an outstanding leader as a presiding officer of the House of Representatives of the State of North Dakota. I place in nomination the name of J. M. Thompson of the Twenty-seventh District."

Representative Niewoehner of McHenry county:

"I rise to second the nomination of Mr. Thompson for Speaker. A veteran of the House, an able parliamentarian, he is eminently fair and he is splendidly qualified to preside over the deliberations of this body. I commend his candidacy to you."

Representative Godwin of Morton county:

"At this time it is indeed a pleasure and a privilege to have an opportunity to rise and second the nomination of Math Dahl as Speaker of this House.

"Mr. Wolf has told you that Math has been elected for four terms in this district, he is not a stranger to any of you here, and is well known throughout the state, not only because of his connection with the legislature and his work,

but because of his connection with the farmer organizations, a man that by virtue of his experience in the House is eminently qualified as a parliamentarian, a farmer, a man who I know will endear himself to the hearts of all factions in this House because of the fairness and square dealing that is apparent in all of Math Dahl's actions.

"I repeat, it is a pleasure and a privilege to second the nomination of Math Dahl for Speaker."

Representative Holthusen of Richland county:

"It gives me great pleasure to second the nomination of Mr. Thompson for Speaker."

Representative Stray of Mountrail county:

"It gives me great pleasure to second the nomination of Math Dahl for Speaker. He is well known and has been well known in this state and in this assembly for many years, so I second the nomination of Math Dahl for Speaker."

Representative Freitag of McLean county:

"McLean county endorses Math Dahl for Speaker of the House of Representatives for the reason that we know from his experience that he has at all times upheld the cause of the farmer, and for that reason McLean county is back of Math Dahl."

Representative Anfinson of Rolette county:

"I wish to second the nomination of Mr. Math Dahl for Speaker of the House."

Representative Sand of Pierce county:

"I rise from Pierce county to second the nomination of Math Dahl. He is well acquainted; he is fearless as a leader; and he is always for progressiveness and stands for the cause of the common people and for the farmer and for all concerned."

Representative Myers of Wells county:

"I also wish to endorse the candidacy of Mr. Math Dahl for Speaker of the House. I believe that in the peculiar situation we are in today—the economic situation, I mean—the drouth—and the situation of most of the common people of the state, especially the farmers, that Mr. Math Dahl is well qualified to understand the problems of the farmers and the common people of the state. I realize that the farmers and the common people need a man that has had experience along their own lines, and believe that Mr. Dahl is well qualified by experience to understand these problems. He has been a willing worker during the time that he has served in the House of Representatives, and I believe he will be absolutely fair in his decisions. I heartily endorse the nomination of Math Dahl."

Representative Byrne of Burleigh county:

"As one of the younger members of the Burleigh county delegation it is a privilege and honor to be able to second the nomination of Mr. Thompson."

Representative Sand of Pierce county moved that the nominations be closed.

Which motion carried.

### ROLL CALL

The question being on election of Speaker, the roll was called and there were 59 votes for Dahl, 25 for McInnes and 22 for Thompson; pass, 3; absent, 4.

Those voting for Dahl were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Ritter
Akland	Holmquist	Sand
Anderson	Hultstrand	Savre
Anfinson	Huseby	Schauss
Beaton	Jensen	Schimke
Beggs	Jones	Seibel
Benno	Knutson, LaMoure	Semerad
Biberdorf	Krank	Shurr, Bottineau
Bieloh	Levin	Sticka
Bjornson	Livingston	Stray
Brusseau	McIntee	Thoreson
Caddell	Myers	Treffry
Dittmer	Nelson, Cass	Tuff
Frazier	Odegard	Tweten
Freitag	Olson, Adams	Urschel
Frosaker	Olson, McLean	White
Godwin	Peterson, Bot'neau	Wick
Greiser	Pewe	Williams
Hagen	Rait	Wolf
Haines		

Those voting for McInnes were:

Messrs.	Messrs.	Messrs.
Blair	Leum	Severson
Brown	Morland	Shure, Cass
Dalzell	Nelson, Sargent	Solberg
Fitch	Norheim	Symington
Ireland	Oglesby	Traynor
Johnson	Olson, Bowman	Trydahl
Jury	Olson, Sargent	Twichell
Knudson, Steele	Page	Wendland
Kraus	Sandness	

Those voting for Thompson were:

Messrs.	Messrs.	Messrs.
Beasley	Gilberg	Langford
Black	Goodlaxon	Morris
Burgum	Graham	Niewoehner
Byrne	Holm	O'Brien
Day	Holthusen	Peterson, Renville



Messrs. Dullea Frey Gessner	Messrs. Just Kapaun	Messrs. Peterson, Richland Saumur
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Passed:

Messrs. Dahl	Messrs. McInnes	Messrs. Thompson
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Absent and not voting:

Messrs. Billigmeier LaBerge	Messrs. Magill	Messrs. Obach
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So Representative Math Dahl of Emmons county was declared elected as Speaker.

Representative McInnes of Traill county:

"I move you that we extend to Mr. Dahl the unanimous vote of the House."

Representative Thompson of Burleigh county:

"I wish to make the motion on behalf of the Democrats of North Dakota to make the vote for Mr. Dahl unanimous."

Which motion was duly seconded and carried.

Representative Jensen moved that a committee of three be appointed to escort the Speaker to the rostrum.

Representative Twichell amended such motion to the effect that the chair appoint a committee to consist of the two candidates who had just withdrawn to escort the Speaker to the rostrum.

Representative Jensen yielding to Representative Twichell's amendment, the amended motion was carried.

The Chief Clerk appointed Representatives McInnes and Thompson and the committee escorted Speaker-elect Dahl to the rostrum, where Chief Justice Christianson administered the oath of office.

Speaker Dahl addressed the assembly as follows:

"Members of the Twenty-fifth Legislative Assembly, and friends: I want to thank you all for the confidence that you have shown in me, and I will assure you that I will deliberate and I will be fair with you one and all in our dealings.

"It may be we shouldn't indulge in political talks here. We should not. Let us refrain from that. I don't want to speak of the various factions. You are all here with the best of intentions, I know. You have come here to represent the people in the various districts that sent you, and we are here to do the best that we can for the people of the state of North Dakota, and I assure you people, regardless of whether you are Democrats, Nonpartisans, IVA's or

whatever you are, that I will be fair, as fair as I can, and I ask in return your cooperation regardless of your political faction. I will have to have your cooperation. I know that this is a responsible position, and without your cooperation no man can fill this position to which you have elected me, and so with that plea to you, ladies and gentlemen, Representatives of this Twenty-fifth Legislative Assembly, I ask your cooperation, and I will assure you that I will return it in the best way I know how. And I thank you."

The Speaker announced that nominations were now in order for the office of Chief Clerk.

Representative Olson of McLean county:

"I wish to offer the name of a lady very well known, very capable, as she has served in this body before, as Speaker of the House, and also as Chief Clerk. I wish to nominate Minnie Craig of Esmond as Chief Clerk."

Representative Caddell moved that the nominations be closed.

Which motion prevailed.

#### ROLL CALL

The question being on the election of Minnie D. Craig as Chief Clerk, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	O'Brien
Akland	Holthusen	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beaton	Jensen	Ritter
Beggs	Johnson	Sand
Benno	Jones	Sandness
Biberdorf	Jury	Saumur
Bieloh	Kapaun	Savre
Bjornson	Knudson, Steele	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Nelson, Cass	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Niewoehner	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten

Messrs.	Messrs.	Messrs.
Gilberg	Odegard	Twichell
Godwin	Oglesby	Urschel
Goodlaxon	Olson, Adams	Wendland
Graham	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Hagen	Olson, Sargent	Williams
Haines	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Billigmeier	Knutson, LaMoure	Magill
Frey	LaBerge	Shurr, Bottineau
Just		

So Minnie D. Craig was declared elected as Chief Clerk.

At this time the oath of office was administered to Minnie D. Craig as Chief Clerk.

The retiring Chief Clerk, Walter S. Martin, addressed the House as follows:

"Members of the House of Representatives: I wish to take this opportunity to thank each and every one of you for the courtesies you have shown, especially the old members that were here two years ago, and I now thank you."

The Speaker announced that nominations were in order for the office of Desk Reporter.

Representative Frazier:

"I would like at this time to present the name of one who is well-known to us here, one who has been a stenographer in this body for a number of sessions, who is capable and able and well acquainted with this work, and one whom we can depend on in the important work that she will have to perform. At this time I would like to nominate Miss Helen Ulsrud."

Representative Levin moved that the nominations be closed.

Which motion prevailed.

### ROLL CALL

The question being on the nomination of Helen Ulsrud as Desk Reporter, the roll was called and there were ayes, 101; nays, 0; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Akland	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe

Messrs.	Messrs.	Messrs.
Anfinson	Holm	Rait
Beasley	Ireland	Ritter
Beaton	Jensen	Sand
Beggs	Johnson	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Bieloh	Kapaun	Schauss
Bjornson	Knudson, Steele	Schimke
Black	Knutson, LaMoure	Seibel
Blair	Krank	Semerad
Brown	Kraus	Severson
Brusseau	Langford	Shure, Cass
Burgum	Leum	Shurr, Bottineau
Byrne	Levin	Solberg
Caddell	Livingston	Sticka
Dalzell	McInnes	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Nelson, Cass	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Norheim	Trydahl
Frey	Obach	Tuff
Frosaker	O'Brien	Tweten
Gessner	Odegard	Twichell
Gilberg	Oglesby	Urschel
Godwin	Olson, Adams	Wendland
Goodlaxon	Olson, Bowman	White
Graham	Olson, McLean	Wick
Greiser	Olson, Sargent	Williams
Hagen	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Billigmeier	Jones	McIntee
Huseby	LaBerge	Niewoehner
Haines	Magill	

So Miss Helen Ulsrud was declared elected as Desk Reporter.

The Speaker administered the oath of office to Helen Ulsrud.

Representative Beggs:

"I move that the Speaker now appoint a committee of three to notify the Senate that we are organized and ready for business.

Which motion was duly carried, and the Speaker appointed Representatives Beggs, Traynor and Williams as a committee of three to notify the Senate that the House was organized and ready for business.

Representative Peterson of Bottineau moved that the

chair appoint a committee of three to notify the Governor that the House was ready to do business.

Which motion was seconded and carried.

The Speaker appointed on that committee Representatives Peterson of Bottineau, Godwin and Wolf.

Representative Twichell moved that the rules of the Twenty-fourth Legislative Assembly be adopted as temporary House Rules.

Which motion was carried.

Representative Freitag:

"I move you now for Assistant Chief Clerk, and wish to nominate a person who possesses stern qualities that are beyond reproach, able and generous, J. M. Anderson of Oberon."

Representative Williams moved that the nominations be closed.

Which motion was carried.

#### ROLL CALL

The question being on the nomination of J. M. Anderson as First Assistant Chief Clerk, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beaton	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jones	Sandness
Bieloh	Jury	Saumur
Bjornson	Kapaun	Savre
Black	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Schimke
Brusseau	Kraus	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	McInnes	Sticka
Dittmer	Morland	Stray
Dullea	Morris	Symington
Frazier	Myers	Thompson
Freitag	Nelson, Cass	Thoreson
Frey	Nelson, Sargent	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten

Messrs.	Messrs.	Messrs.
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Mr. Speaker
Hofstrand	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Billigmeier	Just	Peterson, Bot'neau
Brown	Krank	Solberg
Beggs	LaBerge	Traynor
Fitch	Magill	Wick
Holm	McIntee	Wolf

So J. M. Anderson was declared elected as First Assistant Chief Clerk.

A committee from the Senate reported to the House that the Senate was organized and ready for business.

The Speaker administered the oath of office to J. M. Anderson as Assistant Chief Clerk.

Representative Biberdorf:

"At this time I would like to nominate a man for Sergeant-at-Arms well known throughout the state, and a resident of McHenry county for a good many years. I nominate Bert Monahan for Sergeant-at-Arms."

Representative O'Brien moved that the nominations be closed.

Which motion carried.

#### ROLL CALL

The question being on the nomination of Mr. Bert Monahan as Sergeant-at-Arms, the roll was called and there were ayes, 94; nays 0; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beasley	Ireland	Ritter
Benno	Jensen	Sand
Biberdorf	Johnson	Sandness
Bieloh	Jones	Saumur
Bjornson	Jury	Savre
Black	Just	Schauss
Blair	Kapaun	Schimke
Brown	Knudson, Steele	Seibel
Brusseau	Kraus	Semerad

Messrs.	Messrs.	Messrs.
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Dalzell	Levin	Shurr, Bottineau
Day	McInnes	Solberg
Dittmer	Morland	Sticka
Dullea	Morris	Stray
Fitch	Myers	Symington
Frazier	Niewoehner	Thompson
Freitag	Norheim	Traynor
Frey	Obach	Treffry
Gessner	O'Brien	Trydahl
Gilberg	Odegard	Tuff
Godwin	Oglesby	Tweten
Goodlaxon	Olson, Adams	Twichell
Greiser	Olson, Bowman	Urschel
Hagen	Olson, McLean	Wendland
Haines	Olson, Sargent	Wick
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist	Peterson, Renville	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Graham	McIntee
Beaton	Krank	Nelson, Cass
Billigmeier	Knutson, LaMoure	Nelson, Sargent
Beggs	LaBerge	Thoreson
Caddell	Livingston	White
Frosaker	Magill	Williams

So Mr. Bert Monahan was declared elected Sergeant-at-Arms.

The Speaker administered the oath of office to Bert Monahan as Sergeant-at-Arms.

Representative Godwin:

"The committee appointed to notify the Governor that the House is organized has performed its duty, and the Governor has been notified."

Representative Stray:

"I move that the chair appoint a committee of three to meet with a like committee from the Senate to arrange for a joint session."

The motion carried, and the Speaker appointed Representatives Stray, Day and Burgum to act on that committee.

Representative Page moved that the chair appoint a committee on mileage and per diem, which motion was seconded and carried.

Representative Burgum moved that the chair appoint a temporary committee on the Journal.

The motion carried, and the Speaker appointed Representatives Wolf, Niewoehner and Dalzell.

Representative Symington moved that the Speaker appoint an Employment Committee, consisting of three members.

Which motion was seconded and carried.

Representative Sands moved that the House proceed to draw for seats, and that the ex-Speakers and their delegations have their first choice of the seats.

Representative Dalzell made a substitute motion to the effect that the members keep the seats they took when they came in.

Representative Godwin offered an amendment to the effect that procedure followed in previous years be followed, that is that the ex-Speakers with their delegations select their seats, and the rest of the representatives draw for seats.

Representative Twichell offered an amendment to Representative Godwin's amendment, to the effect that in addition to the ex-Speakers and their delegations choosing their seats first, the majority floor-leader and his delegation also have first choice of seats.

The question being on the substitute motion of Representative Dalzell, the motion was lost.

A division was called for and granted, and the motion was declared lost.

Representative Godwin offered an amendment to the effect that the minority floor-leaders be given the same privilege as the majority floor-leader.

The question being on Representative Godwin's amendment, the amendment carried.

The question being on Representative Twichell's amendment, the amendment carried.

The question being on the original motion of Representative Sand, as amended by Representatives Godwin and Twichell, the motion was carried.

Representative Godwin moved that the Board of Administration be authorized to furnish supplies and equipment for the legislative session, charging the same to legislative expense.

#### ROLL CALL

The question being that the Board of Administration be authorized to furnish supplies and equipment for the House to be charged to "Legislative Expense," the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.



Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Rait
Beggs	Johnson	Sandness
Benno	Jones	Saumur
Biberdorf	Jury	Schauss
Bieloh	Just	Schimke
Bjornson	Kapaun	Seibel
Black	Knudson, Steele	Semerad
Blair	Knutson, LaMoure	Severson
Brown	Kraus	Shure, Cass
Brusseau	Langford	Shurr, Bottineau
Burgum	Leum	Solberg
Byrne	Levin	Sticka
Dalzell	Livingston	Stray
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Niewoehner	Twetén
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Wolf
Holmquist	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Greiser	Pewe
Billigmeier	Krank	Ritter
Caddell	LaBerge	Savre
Day	Magill	Sand
Frey	Norheim	

So the motion prevailed.

Representative Sand moved that the Speaker appoint a committee of three to notify the Board of Administration of the action of the House of Representatives. The motion carried, and the Speaker appointed on this committee Representatives Sands, Peterson of Bottineau, and Symington.

Representative Page moved that the Speaker appoint a committee of three to meet with a like committee of the Senate on the printing of bills and printing and distribution of the Journals, which motion was carried, and the

Speaker appointed Representatives Schauss, Fitch and Olson of Bowman.

Representative Burgum moved that the Speaker appoint a committee to arrange for committee rooms, which motion carried and the Speaker appointed Representatives Williams, Saumur, and Hagen.

Representative Godwin moved that the Speaker appoint a committee of three to act with a like committee from the Senate to confer with the Board of Administration and the Northwest Bell Telephone Company, with regard to the advisability of retaining the present switchboard system in the House and Senate committee rooms. The motion carried, and the Speaker appointed Representatives Frazier, Olson of McLean and Adams.

Representative Godwin moved that the retiring Chief Clerk be allowed per diem for three days, and mileage, for attending and opening the 25th Legislative Session.

#### ROLL CALL

The question being on the mileage and per diem for the retiring Chief Clerk, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Holthusen	Page
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jones	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Savre
Bjornson	Kapaun	Schauss
Black	Knudson, Steele	Schimke
Blair	Knutson, LaMoure	Seibel
Brown	Krank	Semerad
Brusseau	Kraus	Severson
Burgum	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Hagen	Oglesby	Wick

Messrs.	Messrs.	Messrs.
Haines	Olson, Adams	Williams
Hofstrand	Olson, Bowman	Wolf
Holm	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Ireland	Ritter
Billigmeier	LaBerge	Symington
Day	Livingston	Sand
Frey	Magill	Twichell
Greiser	Peterson, Bot'neau	

So the motion prevailed.

Representative Burgum moved that the absent members be excused.

Which motion was carried.

Representative Godwin moved that a Bill Clerk and Special Messenger to the Governor be elected.

Which motion was carried.

Representative Semerad nominated Walter Bubel of the Forty-eighth District for the office of Bill Clerk.

Representative Bjornson moved that the nominations be closed.

Which motion carried.

#### ROLL CALL

The question being on the nomination of Walter Bubel as Bill Clerk, the roll was called and there were ayes, 98, nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Anderson	Johnson	Peterson, Richland
Anfinson	Jones	Pewe
Beasley	Jury	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Dittmer	Morland	Stray
Dullea	Morris	Symington

Messrs.	Messrs.	Messrs.
Fitch	Myers	Thoreson
Frazier	Nelson, Cass	Traynor
Freitag	Nelson, Sargent	Treffry
Frosaker	Niewoehner	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Gessner	Magill
Billigmeier	Gilberg	Saumur
Beggs	Greiser	Sand
Day	LaBerge	Thompson
Frey		

So Mr. Walter Bubel was declared elected as Bill Clerk.

The Speaker administered the oath of office to Walter Bubel as Bill Clerk.

Representative Sand reported that the Board of Administration was notified of the action of the House in regard to supplies, and moved that the committee be discharged.

Which motion was seconded and carried, and the committee was discharged.

Representative Schauss nominated Stephen Theil of Morton county for the office of Special Messenger to the Governor.

Representative Knutson of LaMoure moved that the nominations be closed.

Which motion was carried.

#### ROLL CALL

The question being on the election of Stephen Theil as Special Messenger to the Governor, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anderson	Jens	Rait
Anfinson	Johnson	Ritter
Beasley	Jones	Sand

Messrs.	Messrs.	Messrs.
Beaton	Jury	Peterson, Renville
Beggs	Just	Sandness
Benno	Kapaun	Saumur
Biberdorf	Knudson, Steele	Savre
Bieloh	Kraus	Schauss
Bjornson	Langford	Schimke
Black	Leum	Seibel
Blair	Levin	Semerad
Brown	Livingston	Severson
Brusseau	Magill	Shure, Cass
Burgum	McInnes	Shurr, Bottineau
Byrne	McIntee	Solberg
Caddell	Morland	Sticka
Dalzell	Morris	Stray
Fitch	Myers	Symington
Frazier	Nelson, Cass	Thompson
Freitag	Nelson, Sargent	Thoreson
Frey	Niewoehner	Traynor
Gessner	Norheim	Treffry
Gilberg	Obach	Trydahl
Godwin	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Graham	Oglesby	Twichell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	Wendland
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Billigmeier	Frosaker	Krank
Dittmer	Holthusen	LaBerge
Day	Hultstrand	Wick
Dullea	Knutson, LaMoure	

So Stephen Theil was declared duly elected.

The Speaker appointed on the Committee on Mileage and Per Diem Representatives Frazier, Dittmer and Dalzell.

Representative Godwin moved that the House recess until 1:15 tomorrow.

Which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

FIRST DAY AFTER RECESS AND SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
January 6, 1937.

The House convened at 1:15 p. m., pursuant to recess, Speaker Dahl presiding.

The oath was administered by the Speaker to Stephen Theil as Special Messenger to the Governor.

Mr. Godwin moved that the House recess to 1:55, which motion carried and the House recessed to 1:55.

The House convened at 1:55 after recess.

Mr. Twichell moved to adjourn, which motion carried and House was adjourned.

SECOND DAY

House of Representatives,  
Bismarck, North Dakota.  
January 6, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. A. R. Jones of Wimbledon.

ROLL CALL

The roll was called and there were 111 present and 2 absent.

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand

Messrs.	Messrs.	Messrs.
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	Magill	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Niewoehner	Tweten
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.
Jones	Thompson

#### REPORT OF STANDING COMMITTEES

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

Mr. Speaker: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the first day and beg leave to report the following amendments.

Strike out the name Kobach in all roll calls.

On roll call on page 8 Obach is shown as being absent. He should be recorded as being present and voting for Dahl.

On pages 10, 11, 13, 14, 16, 18 and 20 Obach is shown as being absent, whereas he should be recorded as being present and voting "aye."

On page 10 Fitch is recorded absent. He should be recorded as being present.

On page 7 in roll call record Shurr as voting for Dahl and Shure as voting for McInnes.

On page 6 Holthusen is shown as seconding nomination of McInnes, whereas he seconded nomination of Mr. Thompson.

On page 19 after line 25 insert the following: "The Speaker administered the oath of office to Walter Bubel as Bill Clerk."

VAL P. WOLF, Chairman.

Mr. Wolf moved the adoption of the committee report.

Which motion was carried.

The following amendments to the committee report were made from the floor, and by motions duly made, seconded and passed were added to the committee report:

On page 7, Knutson should be recorded as voting for Dahl, and Knudson should be recorded as voting for McInnes.

Knudson should be recorded as present for all roll calls.

On page 10, Ireland should be recorded as being present and as voting "aye."

On page 16 Hagen should be recorded as being present and voting "aye."

On page 10, Holmquist should be recorded as being present and as voting "aye."

All through the records correct the spelling of Representatives Knudson and Knutson to show Knudson of Steele and Knutson of LaMoure.

All through the records Mr. Stray should be recorded as being present and voting.

On page 20, Levin should be recorded as being present and voting "aye."

On page 19 Semerad should be recorded as being present and voting "aye."

On page 9, Leum should be recorded as being present, and as voting "aye."

Mr. Godwin requested that the House be upon the Seventh Order of Business.

Mr. Godwin moved that the Speaker appoint a committee of three to notify the Senate that the House was now ready to receive them in joint session, which motion was carried, and the Speaker appointed Representatives Godwin, Twichell and Thompson.

Mr. Godwin reported to the House that the committee appointed to notify the Senate that the House was ready to receive them in joint session had so notified the Senate, and moved that the committee be discharged, which motion was carried and the committee was discharged.

Mr. Godwin moved that the House do now recess to the Joint Session, to reconvene at the close of the Joint Session.

Which motion prevailed.



## JOINT SESSION

Joint Session called to order by Lieutenant-Governor T. H. H. Thoreson.

Roll call of the Senate by Secretary of the Senate. All members present except Senators Fowler and Hulteng.

Roll call of the House by Chief Clerk. All members present except Representative Jones.

Senator Johnson moved that the President, on behalf of the Joint Session, appoint a committee of five to escort the Judges of the Supreme Court to the rostrum.

Which motion was carried.

The President appointed Senators Cain, Lynn and Coffey, and Representatives Anfinson and Twichell.

Representative Burgum moved that the President of the Joint Assembly appoint a committee of three to escort the state officials to the rostrum.

Which motion carried, and the following committee was appointed: Senator Wog, and Representatives Thompson and Treffry.

Senator Fine moved that the President of the Joint Assembly appoint a committee of three to escort Governor Welford to the rostrum.

Which motion carried, and the following committee was appointed: Senator Whelan, and Representatives Shure and Symington.

Representative Stray moved that the President of the Joint Assembly appoint a committee of three to escort Governor-elect William Langer to the rostrum.

Which motion prevailed, and the following committee was appointed: Representative Godwin, and Senators Watt and Stucke.

The members of the Supreme Court, the state officials, Governor Walter Welford, and Governor-elect William Langer were escorted to the rostrum by the committees appointed for such purpose.

The Joint Session stood and sang two verses of "America," led by Representative Burgum.

Invocation by Rev. Skilbred.

President Thoresen:

Two years ago we took from his farm in Pembina county a man from the rank and file of the farmers of this state, and placed upon his shoulders the responsibility of guiding the affairs of state. We all know these have been unusual and trying times. Problems heretofore unheard of, problems affecting the very existence of thousands of our people became his to solve and care for. He assumed these duties in his

usual calm and conscientious manner. I believe we all feel he has rendered singular service to our State and its people. I hope it shall always be our good fortune to have men of such high standard, such conscientious devotion to public interest, as our leaders of our public life. Today this leader comes before us to give us a resume of his work as our chief executive. To give us the benefit of his views gained through his personal contact in meeting these problems. I present to you our retiring Governor, Walter Welford.

GOVERNOR WELFORD'S MESSAGE TO THE  
LEGISLATURE—JANUARY 6, 1937

Mr. President, Mr. Speaker, State Officials, Members of the Twenty-fifth Legislative Assembly, Ladies and Gentlemen:

In closing my work as Acting Governor of the State of North Dakota, I wish to discuss with you, as briefly as possible, some of the important problems which are now before you for solution, and also to give you some information in regard to progress in state matters during my term of office.

First in importance is the question of relief. The director of the State Welfare Board has handed me his report in which he estimates the needs of the Board, if they are going to properly take care of our people, at \$6,000,000 from the present time to the end of the bi-ennial. This is based on the assumption that the same degree of Federal cooperation will be secured as in the past from the Resettlement and the Works Progress Administration. One million, eight hundred thousand dollars of this should be in the form of emergency appropriations for use up to July 1, 1937; \$400,000 of this should be made available immediately by an emergency appropriation for the use of the Board for their January and February allocations. Funds for this can be diverted from surpluses in other funds which are not needed immediately. I cannot too strongly recommend that this receive your attention at once. I also cannot too strongly urge that you give every consideration to the report of the director, which is based on practical experience and the needs of our people, and the request of the Board is, in my opinion, well within the financial resources of the State.

During the last bi-ennium there was given to the State Welfare Board the sum of \$1,200,000 from the Sales Tax fund for general relief work and the old age assistance. This was supplemented by Federal funds to the amount of \$1,311,107, which in this State will not be available in the future. It will, therefore, be your duty to find some means of increasing this amount. I believe that an additional \$500,000 for relief purposes can be diverted from the Sales Tax fund, if this law is not tampered with by ill advised amendments. I believe that all the beer tax money and some of our special taxes can also be diverted for relief work in this real emergency to take care of our people. The different taxing bodies should be compelled, by adequate legislation, to set aside a large part of the revenue from liquor for this purpose. The general fund being deprived of some revenue

could be strengthened by a special general property levy. In my opinion it would be very ill advised to make any change in the methods of distribution of those funds. The Welfare Board, both state and county, have done splendid work and they are in a position, by reason of the record they have made, to secure the maximum amount of Federal cooperation that the State must have if our people are to be properly cared for. We must not at this time throw away the benefits of the old age assistance, aid to the blind, dependent children assistance, and service to crippled children—all these are needed, and particularly so at the present time.

There will also come before you for consideration the question of securing an adequate amount of feed for livestock. Steps have been taken to temporarily take care of the needs in the drouth stricken counties. Unless Federal assistance can be secured by the first of February, a very critical situation will confront you and I strongly advise that Congress be petitioned to take immediate steps to take care of what will be by that time a very serious situation. It was found necessary, in order to take care of the situation temporarily, to call upon the counties to make heavy contributions, which none of them are in a position to do, and I would recommend that those counties which have been compelled to take those steps to save their livestock, should be reimbursed by the State and I recommend an emergency appropriation for this purpose.

May I also, while on the subject of general relief, direct your serious attention to the needs of the public schools of the State. The State Equalization fund law, supported chiefly by the sales tax, has proven its worth. It has placed upon the State a larger share of the responsibility for the maintenance of public schools and is equalizing to a marked degree school opportunities for all the children of the State. In the sections of the state where financial distress has been most acute, this fund has been responsible for keeping all of our common schools open. The fund has been efficiently and economically administered through the State Department of Public Instruction at a remarkably low overhead cost of less than one-fifth of one per cent. During this present biennium some 1,800 teachers have received a portion of their salaries direct from this fund. I believe this is the most important school law ever enacted in the State, and I am proud of the opportunity I had to urge and work for its passage in 1935. Experience in the administration of the law has demonstrated the necessity for some minor revision in details. I recommend that sixty per cent of the 2% sales tax be placed in the State Equalization Fund for the next biennial period. I further recommend in view of the extreme financial distress of many school districts that 25% of the Equalization Fund be distributed on the basis of need, and that the governing board of this fund be continued as it is now, namely, the Governor, Attorney General, and Superintendent of Public Instruction.

The State Mill and Elevator at Grand Forks should also at this time receive special attention at your hands. For

thirteen years now this institution has been operated by the State at a loss to the taxpayers of the State of over \$3,658,000, including interest on bonds, and depreciation in the buildings and machinery. I am satisfied that it never will be a great financial success and should be looked upon as an institution of service to the people of the State. I believe it has been such in promoting a better wheat market for our farmers and in stabilizing the price of mill products to the consumers of the State. We have, however, now passed any experimental stage in this matter and should now approach it in a spirit of deciding its future. I recommend that at this time you should provide for some form of nonpartisan operation, or of joint political operation, so that in the future it may be removed from political discussion every two years in our political campaigns by people who have no practical knowledge of the milling business. One of the first things to be done, however, should be to provide for a refunding of its bonding indebtedness at a much lower rate. At the present time the institution must make now about \$670 a day interest and depreciation before operating expenses can be paid. For the years 1935 and 1936 we had no worth while wheat crops in our State. The Mill, however, has been kept running and has given labor and service to the people. It has been necessary to ship in a great amount of milling wheat. This might properly be challenged as a matter of good business judgment. The Mill was built to grind North Dakota wheat and it could be argued that when we have no crop in North Dakota, the mill should be shut down. There are many other questions in regard to this institution and I recommend that you appoint a special joint committee to study this matter and perhaps suggest some methods whereby the State Mill and Elevator can be of greater service and less expense to the taxpayers of the State.

The milling business is a highly technical detailed business, needing well trained men. The buying of wheat and finding of a market for all the different brands of flour and products of the mill needs exceptionally well trained men, experts in their profession, and those matters have no place in our political campaigns. The principle of the Civil Service should also be applied to this institution.

The State Highway Department is now operating in a very efficient and satisfactory way. All matters of dispute between the Department and the Bureau of Public Roads have been settled. The question of the diversion of what the Bureau considers proper Highway funds to other uses has been stopped in the State and Counties, and I cannot too strongly urge that you do nothing in the future that will jeopardize the good relations that now exist by diverting highway funds to any other purpose.

W. J. Flannigan was appointed Highway Commissioner on April 20, 1935, and reappointed on March 15, 1936, for the three year term ending March 15, 1939. Immediately after his appointment, Mr. Flannigan began negotiations with the Federal Bureau of Public Roads and upon their being convinced of the sincerity of our desire to cooperate, the balance of the 1933 and 1934 funds, being held in abeyance,

was released. The 1935 allocation of approximately six million dollars was also made available by the Federal Government for construction work in this state, and the work actually contracted for during this administration totaled approximately seven million dollars. As a further evidence of good faith in those in charge of the Highway Department and the people of this State, just recently there was made available to the North Dakota Highway Department for Federal construction, approximately four million dollars additional funds. These moneys have been made available without matching. North Dakota is only one of two states to which this privilege has been accorded.

Furthermore, inasmuch as the first section of the four million allocation, or approximately two million dollars, must be placed under contract prior to July 1, 1937, there should be absolutely no delay in the workings of that department. Any hindrance would mean the loss of those funds to the people of this State.

The matter of sufficient funds for maintenance should also be given very serious consideration by this Legislature. North Dakota cannot continue to enjoy the privilege of Federal Aid in its highway program if it does not make satisfactory provision for the maintenance of its highway system. Your North Dakota Highway System represents a tremendous investment. It must be administered on a sound business-like basis.

In the original Nonpartisan League program State hail insurance was one department that we were particularly proud of. It is, therefore, very reluctantly that I am compelled to recommend that a special investigation committee be appointed by the Legislature to look into the rumors and positive statements of mismanagement and abuses which have been circulated in the State in regard to this department. I am satisfied many of those statements are true and your attention is called to a special report of the Attorney General who investigated this department. I call your special attention to a report filed with the State Board of Auditors covering a period from October 1, 1934, to December 1, 1935. This committee should also recommend immediate remedial legislation that would prevent those abuses in the future and might restore some confidence in the farmers of the State in a department that they are particularly interested in, and can, if honestly and efficiently administered, be of great service in the future.

The Beer Department, as it has been heretofore, has not been a satisfactory setup and will always be a subject of political controversy. I believe now that the people have by vote determined to supervise the sale of hard liquor locally; that the Beer Commissioner and Beer Inspectors should be abolished as a matter of both economy and efficiency. Certainly, if the local officials can be trusted to properly supervise the sale of hard liquor, then they can supervise the sale of beer. The Regulatory Department should also be relieved of some of its extra duties which have been unjustly falsified and used for political propaganda. The collection of

income taxes should be taken over by the State Tax Commissioner and the collection of motor vehicle fees also should be under his supervision. It might be well in this connection to draw your attention to the fact that many states have Liquor Boards of three members appointed for a term of ten or twelve years, who shall have control and supervision of the beer and hard liquor; and give them power to make rules and regulations for the uniform system of law enforcement over the entire State. It is my belief that in giving this board a long term of appointment with a reasonable salary, this board could be non-political and give much better service to the State. There is no doubt in my mind that they would need but few inspectors and auditors to be determined by said board, for the enforcement of the law.

The Beer Department has on hand, November 30, 1936, a little over \$660,000. I believe that approximately \$500,000, or so much as may be needed, can be appropriated from the Beer Department fund to the State Welfare Board to meet any distress emergencies of such Board.

In regard to the Motor Vehicle inspectors, I recommend that such inspectors be returned and be under the jurisdiction of the Motor Vehicle Registrar, thereby being under direct supervision of that department. Since the Motor Register office is a revenue agency it may be well if that office was placed directly under the State Tax Commissioner. In regard to the enforcement of the cigarette law, the present Act provides for 3c excise stamp on a package of twenty cigarettes. The placing of these stamps on packages is very slow and tedious work to the retailer. We have at the present time over 3,100 licensed retailers and there is no doubt a certain amount of stamp chiseling is going on continuously. Some improvement in methods of affixing this stamp should be considered to increase revenue from this tax.

Due to the drouth conditions, the duties of the State Engineer have been greatly increased. As a result of this continued drouth, the people of the state are looking forward to the remedying of existing conditions and stabilizing agriculture in the state by means of water conservation and irrigation. Development of irrigation projects is being hampered by the lack of engineering assistance on the part of the state. Many land owners are without funds with which to make preliminary surveys and investigations for determining the feasibility of projects. As a result of this condition, steps are not being taken to initiate many worth while irrigation projects. The facilities of the State Engineer's office should be made ample to render this engineering service to the people of the State.

Stream measurements are vital to the intelligent use of our water resources. We must develop those resources to the fullest possible extent. Appropriations should be made to secure the help of the United States Geological Survey for stream gauging and the study of underground waters on a basis that the state bear half of the cost. I recommend this for your careful consideration.

I believe that the State Planning Board has given worth

while service to the State. The time has come in our state when real planning must be done. Some of the great natural resources of the state have been used up—in some cases wasted and in others not developed. I believe that a State Planning Board backed by County Planning Boards can give system and cooperation to further economic building of the state. The State Planning Board has prepared a detailed list of projects and estimates for irrigation, water conservation, Missouri River diversion, Recreational facilities, etc. The annual average stream runoff from North Dakota is approximately 25 million acre feet of which only about 10 per cent or less has its origin in this state. If this could be retained, direct pumping for irrigation, together with rapidly increasing seepage and infiltration, would be accomplished. The Federal Government has already expended more than three hundred millions in North Dakota for all purposes and presumably will continue various types of Federal aid for several years to come. Also we know that drought in 1936 cut our total agricultural revenues down to one hundred million dollars, as compared with sums as great as four hundred millions in years of abundant crops. If this intensive water conservation program would step up the state's farm production and we know it would, and if we can enjoy maximum Federal cooperation in working up the program, we would truly have learned our lesson from this drought and benefitted permanently by it.

As various bureaus and departments of the state attempted to work out a conservation program with Federal agencies during the past year, they found themselves unable legally to represent the state. Inadequate legislative authority was vested in the State Engineer, the State Board of Health, the State Parks and Historical Commission, the State Planning Board, the State Geologist. They were prevented from entering into contract with Federal agencies to maintain and operate projects even though their construction might have been financed entirely by Federal funds. It is proposed therefore that this Legislature create a nonsalaried State Board of Conservation with all present technical conservation officials of the state enjoying ex-officio membership, and that the Legislature vest in this State Conservation Board authority for dealing with Federal agencies in the name of the state and between Legislative sessions. Some of our neighboring states, operating through a board of this kind, have done fine work for their states. A careful survey of activities and accomplishments of these Conservation Boards in other states has been made by our Planning Board. May I recommend to this Legislature a careful study of this promising field. We cannot stand idly by any longer and permit our spring runoff on our thirteen principal streams to rush away from us. It must be made to serve our cities, our farms, and our people, and now while the Federal Government is still carrying on its emergency work programs is the time when we should place ourselves in position to make substantial advances toward conservation and irrigation.

The 1935 Legislature enacted by Senate Bill No. 23 a legal moratorium law, which, with the cooperation of the District Courts of the state, has rendered a real service to the debtors. This will expire on July 1, 1937. I believe this law should be

re-enacted and also to include personal property. The large amount of our farm debt that is now carried by the different Federal agencies has created a condition in the state much different than that existing a few years ago, and has made the moratorium of only limited importance in the state. I recommend, also, that the law creating the Debt Adjustment Boards be simplified as much as possible. They have done splendid work and should be encouraged.

The State Banking Board has been able, with the help and cooperation of Federal authority, to have the banking structure of the state placed in a very strong position. All State and National Banks can now give the people good and safe banking service. Legislation should be enacted, however, to give to many small towns of the state, which have been deprived of banking facilities, some form of banking service in connection with the established banks of the locality.

A conservative Farm Loan Department is now set up in our State Land Department and is giving great assistance to land owners in refinancing and saving their homes. This department has also given encouragement to all parties seeking to develop the oil resources of the state.

I am now going to discuss the big question of taxation in a very brief way. The 1935 Session created a Tax Survey Commission. Their report will be before you for consideration. The results of their study, I am sure will be very helpful to you in the strenuous labor that is before you in keeping our state in the best possible financial condition to carry us through those hard times which have come upon us. I do recommend, however, that you re-enact the law providing for the cancelling of interest and penalty, the law enacted by the last Legislature expired on January 1, 1936. I have by proclamation on two occasions tried to extend the principles of this and the general demand for this encouragement to the delinquent taxpayers would justify its re-enactment. The Tax Commission will have introduced for your consideration bills along the lines of their recommendations, and I ask that you give them your careful consideration. The members have done hard, conscientious work, for which I am glad to express my appreciation.

In looking back over my nearly two years of service, I shall have real satisfaction that some worth while things have been done. Our old age assistance plan has been built up and is now giving worth while aid to almost seven thousand of our old people. Aid to the blind is now an accomplished fact. The care of dependent and crippled children has been equally improved.

Our schools have been kept open in spite of crop failures and lax of tax paying ability on the part of taxpayers in many districts.

An efficient Highway Department has been built up in full cooperation with the Federal Bureau of Public Roads.

Our contributions to relief from the Sales Tax funds have helped to win the cordial support of Federal relief agencies in efficiently taking care of our people.



A reduction of almost twelve million in our bonded indebtedness has been accomplished.

By establishing a fine system of distribution of its products all parts of the state can now receive the products of our State Mill at fair prices.

By a well planned building program in those three great institutions of service, the Tuberculosis institution at San Haven, the School for the Feeble Minded at Grafton, and the Hospital for the Insane at Jamestown will soon be in a position to give greatly enlarged service to the tubercular, the feeble-minded and the insane, and the buildings will be paid for.

Members of the Twenty-fifth Legislative Assembly, I sincerely believe that those things that have been done and those things that I have suggested should be done, will combine to make our state a better state for us and those who are to follow us, and I ask your serious and earnest consideration of them.

The oath of office was administered by Chief Justice A. M. Christianson to all state officials-elect, except Governor-elect Langer.

The oath of office was administered by Chief Justice A. M. Christianson to Governor-elect William Langer.

President Thoresen:

"It is an old saying that 'as your need may be, so shall your strength be.' Due to conditions, over many of which we have no control, we are face to face with problems that seem overwhelming. If ever there was need of leadership with strength, with courage, with a broad humanitarian vision, that need is here and now. We are not afraid. We are not dismayed at conditions as they may present themselves. We shall meet every problem with the characteristic spirit of the pioneers of the west. We shall stand firmly, each citizen at his post of duty to meet the problems of life and turn seeming defeat into progress and victory.

"To lead us in our onward march we have chosen a man who so well possesses all the elements needed in times like these. We have chosen a man from our midst, a man of unquestioned courage, of unquestioned ability, with a vision for progress and above all a man with a sympathetic understanding of our people and our needs.

"Today this, our chosen leader, comes before us to accept the responsibility we have placed upon him, and to give us his plans for our future and our order to march forward in the progress of civilization. As we salute our chief today, may you, with me, also give a silent pledge of loyalty to him and his public duty. May we be ready and willing to uphold his hands in what is good, what is right, and what is noble.

"I present to you our Governor, William Langer."

**GOVERNOR LANGER'S MESSAGE**

To the Members of the Twenty-fifth Legislative Assembly:

Under the constitutional duty imposed to inform you of the condition of the state, and to recommend such measures as I deem expedient, I now address you.

**General Statement**

Your hearty cooperation for the heavy problems and responsibilities which face us concerning state affairs is sincerely desired. May bitterness, which always arises in strenuous political campaigns be forgotten. May we all be united now as officers and citizens of the great state to render to it our highest public service.

I sincerely desire to be the Governor of all the people regardless of race, creed, or political beliefs. I hope to cooperate with you and have each and all of you consult with and advise me at all times. We want to be able to say to the people whom we represent that we have worked together and acted for the best welfare and interest of our state.

On every side we witness conditions of distress and poverty. Poor crops with depressed prices, extending over a period of several years—worst of all last year—have brought before us for consideration and action, a situation which never before existed.

As public officials, we must cooperate with every agency of government, whether Federal or state, to assist our people. Our farmers, our working people, our industries, our business institutions, our trade and commerce—all are affected. With less income on one side, and increased taxes on the other, all of our people are looking to us for help.

We know the wonderful loyalty our citizens have shown. Regardless of adverse conditions, our people have remained and have struggled along. We all know about the marvelous resources this state possesses in climate, fertility of soil, in mines and in minerals, and in the integrity of our people. All that we need are fairly normal conditions, such as this state has had in days past, and a helping hand, to again bring conditions of progress and prosperity to us.

**Cooperation With Federal Government**

I am convinced that the matter of greatest importance at this time is our active and full cooperation with the Federal government in its program of aid and relief. President Roosevelt is entitled to your full cooperation, regardless of your political views. He has received an overwhelming vote of confidence from the people of this state and nation. President Roosevelt has recognized our distress, as well as the needs of our people so dependent upon agriculture for the return of prosperous conditions within our state, and I want to emphasize the necessity, as well as the duty to give him and his administration fullest cooperation.

### Relief

Our first and most important concern is the participation of our state in giving all necessary aid and relief to those who are in destitute circumstances within the state. Investigation has revealed that over 70,000 families, residents of this state, are on the relief rolls for aid and assistance which heretofore has been furnished by the government.

The Federal Government will probably continue to provide considerable aid for employable urban families through the WPA and for farm families through the Rural Resettlement administration. The state and the counties, however, must provide assistance for unemployable families or persons in need of relief, and supplementary aid in the form of medical assistance and subsistence for those whose WPA earnings and Resettlement grants are insufficient to provide for their needs.

The county welfare boards spent for direct relief during the past year, not including old age assistance payments, more than \$2,750,000. Because of poor tax collections the counties are at present unable to provide the funds necessary to meet relief needs.

It is therefore recommended that the legislature make available immediately as an emergency measure \$1,500,000 to cover the period to June 30, 1937. For the biennium 1937-1939 it is estimated that \$3,000,000 will be required for relief purposes, of which the counties will be able to provide \$1,200,000, leaving \$1,800,000 for the State Legislature to appropriate.

Funds available to the Public Welfare board for making grants to the counties are exhausted and an immediate appropriation is necessary to enable the Public Welfare board to assist the counties in providing for relief during the period ending June 30, 1937, as well as for the biennium. It is estimated that \$1,800,000 will be needed to furnish the relief needs from now to June 30, 1937. Of this amount it is estimated that counties will be able to appropriate not more than \$300,000, in addition to their share for old age assistance and aid to dependent children required under the Social Security Act.

I am distinctly in favor of placing the supervision and the financing of relief back again with the counties, where it once was, with the assistance and supervision given to them by both our state and the federal government.

Perhaps ways and means may be found through a portion of the sales tax and income taxes so that the state can furnish financial assistance to the counties, in accordance with their needs. In this connection we must realize the financial difficulties in raising the needed monies.

### Social Security Legislation

Old age benefits and unemployment insurance are here. The federal government through the administration of Presi-

dent Roosevelt has enacted the Social Security Act. It is now in force. Over 27,000,000 persons in the United States already have been registered under the provisions of the Federal law. This Act is administered by the Federal Government.

The Social Security Act also provides for unemployment insurance against poverty and distress resulting from unemployment. To secure the benefit of the Federal Unemployment Insurance Act, and the tax collected from employers, this State must enact legislation in accordance with the Federal law.

We must find means of making the Federal law effective. I recommend that an unemployment compensation measure be enacted immediately so that this State may qualify. I sincerely hope that a joint legislative committee, as a special committee on social legislation, will be created for the immediate drafting and introduction of an Act which will enable North Dakota to qualify under the provisions of Federal law.

Under authority granted in this Act the Board prepared plans for old age assistance, aid to the blind, child welfare services and aid for crippled children and these plans are now operating and the State is benefitting from Federal aid. A law providing for aid to dependent children in accordance with the provisions of the Social Security Act should be passed and I would urge that you give immediate attention to the passage of an act which will enable North Dakota to secure this Federal aid.

Although the plans for old age and blind assistance are in operation, the Legislature should enact laws in conformity with the Social Security Act in order that the State may continue to participate in Federal aid for these worthy causes. Appropriations to provide the State's share of old age assistance, aid to the blind, aid to the dependent children, services for crippled children and child welfare services will be required. The funds which the Public Welfare Board has estimated will be required for these purposes have been submitted to the Budget Board.

#### **Employment Insurance**

As I have stated, I am in favor of old age and unemployment insurance. I favor an Act which will establish a commission to handle the matter in coordination with the Federal Social Security Act and the passage of an Act which will exempt all employees from contributing any portion of their wages or salary to the establishing of the fund for either old age or unemployment insurance.

In the final analysis the public that purchases from the employers who contribute, must carry the burden for this insurance.

#### **Water Conservation**

There is no matter of greater importance to the welfare of

our state and the ultimate relief of our people than the restoration of the water supply normally present.

Already in Montana, the Fort Peck project will retain vast quantities of water, not only for Montana, but also for North Dakota; and at the same time it will relieve flood conditions in the South. The use of the Missouri river and the run-off waters which it carries, as well as the use of the Red Lake and Red River waters and watersheds are matters for your attention and action.

I recommend that the Legislature take command through the establishment of a commission and the creation of a program in full cooperation with the federal government. I recommend immediate action through the appointment of a special joint committee of this Legislative Assembly, not only to consider, but also to take action. Those who have been concerned with the administration of the federal government's activities in this state, such as Thomas Moodie, Henry Holt, John Moses and others have assured me of their assistance.

#### Agricultural Aid

To restore and maintain the water level to prevent our wells, which furnish ninety per cent of the water supply to our farmers, from drying up, and to provide an ample supply of water through the construction of dams and reservoirs for primary irrigation purposes, I recommend that you promote irrigation of enough lands to raise the provisions necessary to sustain human life; to raise enough forage for our livestock, or at least for our foundation herds, because we cannot build, nor long maintain a profitable livestock or dairy industry in this state when we must ship in or purchase our forage at a prohibitive cost, or else sacrifice our livestock every other year at ruinous prices.

I believe that water conservation is the most practical and effective method of flood control, and believe in irrigation as the most practical and effective method to sustain the farm family, to reduce poverty to a minimum, to provide continuous employment and to remove our distressed farmers from poor relief rolls. Manifestly, it is better public policy and economy to restore prosperity than to move our people from the state under a federal resettlement plan. I therefore respectfully urge you to memorialize Congress to vigorously press the Long Range Water Conservation and Irrigation Program that it has so widely undertaken; that the Bureau of Reclamation, through the use of the Great Plains Station at Mandan, through their practical experiments demonstrate the various methods of water conservation which are suitable and profitable for our state, and that you enact whatever measures may be necessary and appropriate to aid in and to cooperate with the federal government in the development of this program. The federal government should also be urged to furnish sufficient funds or immediately provide for an adequate supply of feed and forage to relieve acute shortage and to prevent the consequent starvation and loss of much of our livestock, which is the only present means our farmers have to make a livelihood.

Our farmers need only the helping governmental hand here at home for the rehabilitation of the soil they occupy, and for the opportunity of crop production plus a reasonable profit.

I endorse the movement for crop insurance, and recommend your cooperation with governmental efforts in that direction. We have been committed to that sort of program for years through the Hail Insurance Department.

Perhaps the only business that does not receive the protection of insurance and of safeguards for its continuance and survival is that of agriculture; and it is time for us to devote our energies to see that the farmer has thrown around him every protection that business, trade and industry now receive.

For these reasons I heartily favor every possible effort to promote means to enable the farmers to purchase land on easy terms, at low rates of interest, with exemption of taxes applied to homes, and with insurance principles applied to the product that farm labor creates. In matters of refinancing farms, we should support the Frazier-Lemke Act.

#### Taxes and Taxation

As you all know, I have continuously advocated reduction of taxes. Four years ago it was the principal subject in my address to you, and with your cooperation they were reduced and likewise state expenses.

I fully realize that this can be accomplished only by efficiency and economy in state appropriation and in state administration. Our land tax is too heavy a burden on our people. We cannot build up home owned lands without better equalizing the tax burden. We must see to it that those forms of wealth and that income which participate in and grow out of trade and commerce of North Dakota, and with North Dakota citizens, bear their just burden of taxation. I recommend to you specifically for the protection of home owners, the enactment of legislation, which will create an exemption from taxation of occupied home owned farm land to the extent at least of 160 acres and up to a value of at least \$5,000.00, and city or town dwellers home, owned and occupied, to the extent of at least two lots, of fifty feet, and to the value of at least \$1,500.00, so that home ownership may be encouraged.

I recommend that you favor a change in the taxes on farm and ranch lands which will equalize the tax burdens. These lands have been paying too high a tax in comparison with what they have produced. The taxes on farm and ranch lands should bear an equitable relation to the income produced. You will then satisfy the graduated land tax group and the income theory group.

I believe that any sound and constructive program of tax reduction to be really effective must deal, not only with the state government, but with every taxing unit thereof. Our experience proves that the state expends less than twenty per cent of all the taxes levied, and that more than eighty per cent is required by its local subdivisions. Consequently any

tax program must be so conceived and so administered as to apply equally to every taxing district.

I recommend that you utilize the information gathered by the tax survey commission and that you give serious consideration to its proposals and counsel; that you devise and formulate plans for a complete revision of our system of state and local governments with the ultimate aim to simplify and clarify our whole super-structure of government; to eliminate every office, bureau and commission not essential to the maintenance of the primary functions of government; to simplify and consolidate those agencies that are essential, so as to reduce the costs of their maintenance; that you place every office, bureau and commission which you determine to retain, upon a self sustaining basis, insofar as it is possible, by the charging of reasonable fees for all services rendered. That you reorganize and reform our system of the administration of affairs of government so as to conform to scientific methods of business management and promote the maximum degree of efficiency.

At the same time in this program of reduction of taxes and greater economy in government, I am in favor of maintaining our school system in this state, both the elementary schools and higher education, at its highest possible efficiency. With the higher and at present mounting costs of living, our school teachers are not sufficiently paid. To retain our leadership in education, we must pay adequate salaries. Along with this, we must protect labor from disease, sickness and accident. We must take care of the poor and those in distress. We must provide adequate unemployment insurance. I realize the funds for such purposes must come from taxation; but we must find sources of tax revenue which should be applied to these needs. For such engagements, business, trade, commerce and industries must bear their just burden. The foreign manufacturer and wholesaler of intoxicating liquors who brings them within our state, should pay a license to do business the same as California now requires. I recommend such legislation.

Although the sales tax shifts the burden of taxation considerably upon those who are the least able to bear it, nevertheless the people of the state have voted for its continuance, and I recommend therefore that it be continued for use to support the schools and the relief of the distressed, the aged, the blind and the dependent children of North Dakota, and as a replacement tax.

I recommend that tokens or coupons be used, to avoid paying a five or six per cent tax rather than a two per cent.

Owing to the fact that thousands of farmers found their 1935 hail tax assessment more than double what it ever had been before, I recommend that you ascertain whether or not any portion of that hail tax may be cancelled or refunded.

Provision should be made to enable the owners of real estate with heavy delinquent taxes to make settlement thereof at a discount, at least with the cancellation of penalty and interest. Those earnestly striving to start over should be given

the opportunity with as much assistance along this line as possible. The railroads have been receiving such discounts because the Courts have thought them excessive.

In spite of the provisions of law for payment of delinquent taxes, without penalty or interest, a continuing large portion, particularly against farm lands, remain unpaid. I recommend that the privileges heretofore granted be extended for a period of four years. I further recommend that you give a still further opportunity to our farmers and home-owners to pay their delinquent taxes by enactment of a law following Minnesota enabling a farmer or a city owner whose taxes have been delinquent for five years or more to file confession of judgment for the delinquency, and pay the same in ten annual installments.

### Highways and Transportation

We are receiving annually a large amount of money through the imposition of a three cent state tax on gasoline. I recommend its continuance, but disapprove an increase. I am satisfied that we must bring the highest efficiency and economy to our highway program so as to maintain and extend these highways in a proper manner. The maintenance of many of our highways is done at a tremendous cost. Under the present system it is difficult to maintain and keep them all open for travel with any degree of efficiency and economy. Thousands of dollars are lost annually to this state by blocked highways and lack of proper care. This has compelled and is now compelling transcontinental travel to detour around the state. We must fully cooperate with the federal government in its highway program. We must strengthen our own laws, and demand from our Highway Department the enforcement of the laws which apply to the use of our highways and the licensing of trucks and passenger automobiles. Lack of law enforcement, and poor and at times blocked highways, are causing annually an appalling loss of life and property. This can and must be lessened.

Requiring truck owners to buy commercial licenses when engaged in hauling earth, stone or gravel on highway, dam or other construction should be eliminated, and work of this kind should not be classified as using highways for transportation of commodities.

In order to eliminate automobile accidents I recommend examination of drivers to prevent those afflicted with some physical handicap which interferes with the safe operation of a motor vehicle from driving.

### Moratorium, Embargo and Interest Rates

The underlying principles of the moratorium, the embargo and rates of interest, concern both the security and well being of our people. Throughout this nation, in every single state, and by the federal government, we have seen a moratorium in some form, the right of an embargo in some form, and the enforcement of lower interest rates.

North Dakota is rich in raw materials, food and fuel. Yet



it is poor in the enjoyment of our people of that wealth which we have produced. It is not unreasonable to say that the production of our wealth in raw materials since statehood has been sufficient, if now present, to pay our entire national debt. Neither state or nation can succeed which does not protect its people in times of emergency and distress, as well as from the greed and avarice of those who prey on the industry of a people. I have never advocated a moratorium to protect the dishonest debtor nor the shifty and crooked. For such it will never be applied by me while Governor of your state. I do not advocate the embargo to prevent freedom of commerce, or to deprive producers of the right of sale, but when conditions of congestion exist in the transportation agencies, or in the markets of the country resulting in ruinously low prices, the principle of the embargo is a matter of governmental policy and not for the benefit of private agencies alone.

I also believe that the so-called legal moratorium enacted in 1935 should be revised. In that law there should be enacted, as much as possible, provisions for hearings which are now being conducted more or less voluntarily before seizure or sale of property, these hearings should apply to the remedy, so that no question can be raised successfully against them. The extended periods of redemption should expire in the spring of the year, say April 1st, rather than July 1st, the middle of the growing crop season.

The principle of the moratorium should be aided by legislation creating a competent and legal state adjustment board, with sufficient power to handle, on a moratorium basis, the claims of creditor against impoverished and distressed debtors who have become such through no fault of their own. legislative action.

Interest rates always have been too high. We have witnessed the wealth of our people consumed almost entirely by interest. We want capital to come into our state for investment. We want to give assurance that we, in good faith, will protect capital investment, but we want it to realize that in so doing it must ask for returns no greater than it is receiving in other sections of our country.

I have noticed a rather large number of personal loan agencies springing up, which loan money in small amounts to laborers, school teachers and so forth, and upon which the borrowers pay high interest per annum. There is something amiss with a financial situation which forces people to pay excessive rates.

It has come to my attention that in many instances the property covered by conditional sales contracts has been taken by agents of the sellers while the purchaser was away from the premises. In such cases, under the present law, there is no relief for the purchaser. The law should be amended so as to require court action for the taking of the property. The law should give power to the court, not only to enable the purchaser to make good his default, if he can, but if he cannot the court should have power to permit him to retain the prop-

erty for a reasonable time if necessary to either plant or harvest his crop, as the case may be, and on such terms and conditions as may be just and equitable.

### Organized Labor and Organized Producers

Labor, brain and brawn, is one of the main essentials to success in every field of human endeavor. Without intelligent, honest and sustained toil, without continuous and gainful employment, there is no future or security. Fortunately, the hours, conditions of employment and the wages paid in recent years in our state, have been materially improved, through the enactment of the Minimum Wage Law for women, and through compensation paid by the Workmen's Compensation Bureau for the loss of life or personal injuries sustained in the course of employment. But I firmly believe that we can still shorten the hours of work, make the working man's condition of employment still more safe and sanitary, and still pay higher wages, so that labor can maintain what it so justly earns and deserves—a decent standard of living.

Both labor and the producers have been slow to organize. Trade, commerce and business have been highly organized for years. The voice of the unorganized is only feebly heard under modern conditions. Protection for life and limb, and for better wage conditions, has come only through organization and through long struggles to achieve it. The farmer has been particularly slow to organize. Only in recent years have organizations in his behalf become potent. I favor every protection to be thrown around the laboring man, and the highest wages possible, with full recognition of organized labor in its effort to accomplish those ends. I favor farmer organizations and affording to them the protection of law, in their efforts to preserve agriculture as a means of livelihood, and to secure a decent price for agricultural commodities. We should, therefore, support organized labor and farmers' organizations seeking to better conditions for both labor and the producers. We should give more attention to developing the cooperative movement in North Dakota. We must realize that non-producers who process or merchandise the things that the farmers produce, generally receive a far greater return than the farmer himself receives on his own products.

### Mines and Mining

Our state is primarily an agricultural state, yet it seems that the day is not far distant when it will take its place along with the great mining and oil producing states. We are prone to ignore the great wealth that lies buried in the ground beneath our feet. A few citizens have buried in the ground beneath our feet. A few citizens have toiled incessantly against adverse reports and adverse criticism to bring forth these latent industries, and now are viewing promising signs of a reward.

Gold is present in this state in paying quantities. It is a very finely divided gold, of high quality, a part in free form, but mostly locked with other metals. This gold was brought here by the great glaciers, and is found in their morainal

channels. A few of our citizens have worked consistently on this theory for a number of years, and have, with aid of outside capital and research, proven this to be a fact beyond a doubt. This industry needs every encouragement that can be given it.

What is true of the gold is likewise true of oil deposits in our state. All indications point to increased activities in the development of oil fields within our borders. To further facilitate these prospective industries, everything should be done to make it possible and practical for organizations seeking to develop certain areas to secure all lands necessary to protect themselves in their venture. Chapter 232 of the Session Laws of 1931 should be amended to make it clear that it applies to oil and minerals, or other laws should be enacted to meet the requirements.

I am concerned that we do everything possible to develop industry within our state, and use our native resources in doing it. We should give particular attention to aid mining and the use of our lignite. Approximately 300 mines are producing around 2,000,000 tons annually and employing about 1,500 miners. Roughly, 500,000 tons of foreign coal is brought into our state for use and consumption here. We ought to use lignite fuel for practically all power purposes within the state. In former legislative sessions you have said that lignite must be used in our state schools and institutions, and imposed a duty on state, county and school officers so to do. Further, you have provided for various lignite rates which were the subject of much litigation. From time to time you have required investigation into lignite and other coal, and during my previous administration you provided that lignite briquets should be transported on the same basis as lignite itself. At my direction, during my former administration, an action was brought for lower basic rates for transporting lignite screenings in this state, and finally your state Board of Railroad Commissioners for the first time in the history of the state, granted a lower rate or differential on lignite screenings, and savings to our state institutions of about \$75,000 per year. We must continue to develop our lignite industry.

I recommend a legislative definition of lignite, so that it will not be classified on the same basis as foreign coal for rate purposes. I recommend legislation requiring our Board of Railroad Commissioners to establish the lowest possible rates on lignite. The same rate should not apply to coal of \$10.00 value per ton, and to lignite of \$5.00 value per ton. I recommend also for your consideration and action a tonnage tax on lignite mined for sale and not for personal use.

#### Official Accounting and State Expense

We must seek to accomplish efficiency, and a strict accounting in state offices and state expenses. In my first talk to the people of this state after my election, I told them that in this business of running the state they were entitled to know how every single dollar of state money was being expended.

To that end we must improve and consolidate our methods of state accounting concerning expenditures by state boards,

institutions, and officials. We must provide for one single centralized board or officer whose principal duties shall be to receive regular and continuous reports from every single state board, institution, and official covering expenditure of state funds, with the duty imposed of auditing these reports and making recommendations and criticisms in respect to them.

Audits must be frequent. A delayed audit is valueless unless for subsequent investigation purposes. Joy rides by public officials, entertainment furnished at state's expense by boards or institutions, needless travel, expenses charged on foreign junket trips must be stopped. Such funds might well be devoted to the relief of our people.

I recommend to you the adoption of legislation that will create a single auditing body, which will have the power to appoint one expert official with the powers and responsibilities of seeing that monthly the people of this state are informed about every single dollar of state expense, and monthly every single board, institution and state official, including myself as Governor, will have his or their acts in expenditures of public funds revealed to the people.

#### Civil Service

I recommend the enactment of a civil service law which should apply to all appointees and employees of the state and its political subdivisions, so as to place all upon a basis of relative merit, competency, experience and fidelity to trust, and thereby improve the standard of service in all administrative affairs of the state to the mutual benefit of the state, its taxpayers, its officers and employees.

#### State Indebtedness

Since my message to you in 1933, you have witnessed, even in these times of drouth and depression, a great improvement in the credit of our state, and you have seen North Dakota bonds sold greatly above par. I have at all times insisted that the credit of our state must be preserved, and that the bonded indebtedness of our state should be reduced and not increased.

We must see to it that the principal and interest of these bonds is promptly paid as they mature, and that funds be established to protect this liability of the state and its credit kept unimpaired.

We must see to it that trust funds in this state be preserved as such. Monies taken from the Hail Insurance trust fund must be returned to it. We must see to it that monies raised by tax on gasoline are devoted to the purpose of its assessment and in the improvement of our roads and highways in this state. These matters concern the performance of a trust.

#### Education and Educational Institutions

The type of education which should be stressed in North Dakota is that type which prepares youth for life in the state.

Educational courses which tend to promote migration from the state are of no special value to a state itself. The underlying principle which justifies free and subsidized education is the contribution which the recipient in mature life makes to the wealth and public welfare of the state. The courses which our educational institutions ought to stress are those which tend to promote residence in the state, and help the individual for life here. We are an agricultural state. We shall always be a state devoted primarily to agriculture, and our future depends upon the development of agriculture. We have hardly scratched the surface of the problems of the soil and economics of agriculture as well as education along these lines. With no thought of depreciating the need and value of other courses of study and special training, I would suggest that the welfare of an agricultural state, is furthered by an educational program which lays special emphasis on agriculture in all its varied phases.

The youth of today must be prepared for the task of citizenship and its duties with an education, whether literary or technical, that will give opportunity to compete in the conditions of modern society. I am not over-sensitized with the idea that we have too many schools or too much education within our state. Perhaps it may rather be said that some changes are needed in the system of our education and in the duplication that results, which, if eliminated, might give us more opportunity for education in more and greater fields.

Our teachers, whether in rural schools, high schools, or institutions of higher learning, must be competent, and we must be willing to pay them well for the services they render. With the higher costs of living, their scale of wages ought to be higher. In our institutions of higher learning, we cannot expect to secure that competent service, or to retain it if we have it, without paying a wage at least similar to those paid for work in other employments in the state.

We must find sources of revenue largely outside of the ordinary tax on land and personal property. With the continuance of the sales tax, consideration of the income tax law and the regulation of intoxicating liquors and their importation into this state, there exists subject matter in which you may find the revenue needed to sustain our educational system in accordance with this demand and its real need.

Uniform textbooks should be furnished free to all school children, both in private and public schools; and transportation should also be furnished free.

#### **Penal Institutions and Sanitariums**

All of these institutions are maintained on the basis of reforming or curing the person confined. It is a rather sad commentary to say that they are costing our state more than our schools of higher education. We must pay attention to their needs and adequately support them for the purposes they serve in our society. Our modern conditions are filling them too rapidly, and are imposing a tremendous burden upon us to support them.

It is your problem, and my problem, to use these institutions which we must have with us in such a manner that criminals within them can be prepared for useful citizenship, and in the meantime do those things which will sustain themselves through their work; and this all applies in a lesser way to those inmates in institutions whose minds and bodies are in such shape that they can not work.

We should do everything possible to usefully produce in these institutions all that sort of manufactured handiwork capable of use in the machinery of our state government without entering into open competition with free labor. The production of our own automobile license tags at the State Penitentiary, as advocated in my message to you four years ago, is now usefully employing a large number of inmates, and is saving the taxpayers of this state thousands of dollars annually.

There is no reason why, within restricted lines, our native product of wool could not be treated by machinery in some of these state institutions, so as to manufacture from this native wool all that is necessary for clothing needed or required for all inmates of our penal institutions or sanitariums; and I recommend to you that suitable legislative enactment be passed, so as to start work in this line of activity.

I have found on investigation that the State Training School provides no course in manual training, or in preparation for a trade or for skilled labor. I think many of the young men sent there need such training. The matter was brought to the attention of the Judicial Council some years ago, who, upon investigation, recommended such a department for the school.

I am inclined to think it would be advisable to provide by law that no one shall be sentenced to the State Penitentiary without first having had benefit of counsel.

I understand that the Welfare Board is making some new arrangement with regard to children's work; that special workers are being sent out in this connection. A trained person assisting the County Welfare Board or the County Commissioners and Juvenile Court to make the proper investigation in cases where children are apt to be sent to the State Training School would greatly aid and save duplication and expense.

There is a distinct need for a Soldiers' Home in North Dakota. Those received at this institution at Lisbon are disabled to the extent they cannot maintain themselves under ordinary circumstances, and are not the type to be cared for by their various counties. With their disabilities they can be cared for at Lisbon for less expense than by their own counties. I recommend that this Legislature give careful consideration to this institution, as there are approximately 30,000 ex-service men in North Dakota, and consequently the population of the Soldiers' Home will naturally increase.

These matters are for our consideration. They are here to remain with us under the progress of the age. They present problems that require our study and our cooperation.

### The State Industries

The Bank of North Dakota, established under strife and contention, has now become an institution of recognized aid and service to the people of our state. We must protect it in its stability, and conserve it as an institution of state government, formed for the protection of all public funds and serving our people to aid and not to destroy those concerned with banking and banking principles.

The State Mill should have further the fundamental policies that its requirements must be the use of the North Dakota grain for the manufacture of flour and particularly spring wheat; and that it is not necessary at any time to go into foreign states for importation of wheat for purposes of manufacturing flour simply as an institution of profit. It also can be used as a demonstration agency to recognize that the important transportation agencies for North Dakota are our railroads, and that truck transportation should be utilized only so far as it is necessary and incidental to railroad transportation of our grain or its manufactured products. The records of the State Mill, and the records of all of our institutions must be made an open book, so that suspicion may not be aroused at any time.

### Intoxicating Liquors

The people of our state, by their vote, have authorized the sale and use of intoxicating liquors within our state. The approval of the initiated measure by the voters reverses the policy of prohibition, steadily maintained by constitutional and statutory action since statehood, and until recent times, starting with the repeal of the prohibition clause in our federal constitution.

This initiative measure has brought to you many necessary matters for consideration, particularly so for the reason that there are many statutory provisions still in force or to be interpreted, which in their original purposes were intended to supplement our prohibition laws. Necessarily these statutes need your consideration, and as far as necessary, your revision. Already the initiated measure has disclosed for its administration and enforcement the necessity of supplementary legislation; and for that reason I direct particularly your attention to early consideration of the same.

A mandate of the people has given to us now the problems of handling the sale and the use of intoxicating liquors within our state. Whatever our individual opinion may be on the liquor question, we must obey this mandate, and cooperate to carry into force and operation its requirements.

I want to see the sale and the use of intoxicating liquors within this state held to a strict accounting under strict observance, pursuant to the mandate under the law. In my opinion we must safeguard our youth against the perils of strong drink in every way legitimately possible, and we must strictly prohibit all of those collateral devices and practices in gambling and loose or immoral associations that quite frequently attend the handling of intoxicating liquors.

There is need today of sane, unemotional education on the need and value of temperance, and for sane, unemotional education on the evils of intemperance. Whether one be for or against authorizing the sale of liquor, he cannot be blind to the abuses incident to the use of intoxicants. It falls within the province of government to promote education which will help to abate the abuses incident to the intemperate use of alcoholics, since one of the chief functions of government is to promote the common good.

It occurs to me that it might be wise to enact some kind of liquor nuisance law, making it a nuisance to carry an opened bottle or container of intoxicating liquor in an automobile, and making the car subject to confiscation on violation of that law. It would tend to drive drinking off the highways, and that is a great danger at present.

#### Specific Recommendations

There are only two toll bridges existing today in North Dakota, both are in McKenzie county. The development of that county has been greatly handicapped because the farmers on the highland, have been unable to secure the necessary feed without paying a \$1.50 toll. I recommend that legislation be passed giving the state power to condemn the easements on toll bridges so that the people of McKenzie county may pass over without paying any toll whatsoever.

I recommend additional legislation to deal more stringently with the crime of kidnaping.

I recommend the enactment of laws similar to those of Wisconsin permitting local bankers to establish places of exchange in towns of adjoining counties only, so the people in smaller towns may have banking facilities.

I recommend a sufficient appropriation to the Board of Railroad Commissioners to enable the state to cooperate with the Federal government in its plans for rural electrification and hope that this legislature will leave nothing undone to, as far as possible, enable every farm home to secure the benefits of cheap electric lights and power. Much of the drudgery of farm life will be eliminated, especially for the women.

I recommend that the state establish their own power plants in some of the state institutions, especially the Agricultural College and the State Teachers' College at Mayville, unless lower rates are secured from the companies now furnishing them.

I recommend legislation looking towards the doing away with radio censorship unless censorship of individuals, or corporations can be removed, and free speech prevail in North Dakota over the radio, you should appropriate sufficient money to thoroughly equip the radio station at Grand Forks owned by the State, and place it under the jurisdiction of the Industrial Commission, with the proviso that rules be established whereby all parties and political factions may give their views without such censorship.



I recommend the establishing of a flax-crushing plant in the State Mill and Elevator to be constructed with federal aid.

I recommend legislation shortening the hours of the work of the guards at the penitentiary from twelve to eight hours.

I recommend legislation enabling the District Judge to send first offenders between the ages of twenty-one and twenty-five, inclusive, to the State Training School instead of the penitentiary.

I recommend legislation giving the District Judge more supervision over the men and women placed on parole; that the Sheriff shall be ex-officio parole officer, and that it shall be his duty to supervise parole prisoners in his county.

I recommend legislation whereby inebriates anxious to be cured of the liquor habit can, at their own request, be sent to the State Hospital under consent of the County and District Judge, without being declared insane.

I recommend the passage of the 1933 income tax laws to provide for the contingency that Courts may hold that the same has been repealed.

I recommend the establishment of a Department of Forestry to work in conjunction with and take advantage of the federal law providing money for that purpose, and believe the same should be established at Bottineau, with provision for the raising of at least five million trees a year.

I recommend the lowering of car licenses on automobiles to three dollars a car, and that the car shall be assessed as personal property.

I recommend legislation providing for an increase in trucking fees other than for farmers.

I recommend that the purchaser of liquor secure a monthly license, as provided for under the laws of Montana.

I recommend that at least one-half the revenue on beer shall be turned over to the State Welfare Board, to be used for relief purposes, especially for the support of dependent children and the blind and aged.

I recommend the abolishing of the office of Fire Marshal, by its transfer to the Insurance Department.

I recommend the consolidation of the supervision of farm lands owned by the Board of University and School Lands, and the Bank of North Dakota.

I recommend legislation abolishing the receivers of closed banks by transferring all the duties they now have to the Bank Examiner or the Bank of North Dakota.

I favor the abolishing of every single job or position that the members of this Legislature feel that the State of North Dakota can get along without.

I favor legislation whereby coal miners and coal operators shall be organized under a code, and if necessary, I recommend a tax on the lignite coal, especially that from strip mines, to help pay the expense of this organization.

I recommend a thorough investigation of the School of Medicine and placing the same upon a firm foundation.

I recommend legislation taxing airplane franchises.

I recommend legislation changing the date upon which the license tags must be placed on automobiles by permitting automobile drivers in the last two weeks of any one year to operate their cars by having tags of the succeeding year.

I recommend legislation to aid certified seed associations, especially potatoes.

I recommend legislation to aid the North Dakota Turkey Association and for the effort to get the farmers what their turkeys and poultry are actually worth.

I recommend a continuance of the Grain Storage Commissioner with full authority to investigate the low price of light weight wheat and other grains.

#### **Feed Lien**

You all know that under the new rules and regulations, the Federal Government will not furnish feed to the farmers for their livestock unless the farmer gives the Federal Government a first mortgage on the livestock. This is impossible, in view of the fact that most of the livestock that the farmers of North Dakota have today is already covered by mortgages, and the holders of these mortgages will not satisfy or release same.

To enable the farmer to secure feed for his livestock from the Federal Government, I propose that this Legislative Assembly enact a Feed Lien law granting and giving to the Government, or private corporations or individuals, who furnishes feed to the farmers for their livestock, a first and prior lien on the livestock. Under this law the Government can furnish feed to the farmer and get a first lien on his livestock. The Government won't need a mortgage. It won't be necessary for the farmer to secure satisfactions and releases of existing mortgages.

I suggest that you pass this as one of your first laws and attach an emergency to it so that the law will go into effect immediately.

#### **Poor Relief**

I recommend that this Legislative Assembly memorialize Congress and the Federal Relief set-ups to increase the relief to the poor and the unfortunate of North Dakota.

I recommend that you enact such legislation to take care of the deficiency of poor relief that is not provided by the Federal Government. We should see to it, that no man,

woman or child should go hungry or suffer from want in North Dakota. If it is necessary to pledge the credit of North Dakota to secure relief for our people, then I say, pledge such credit. See to it that we do not fail in this respect. This may be the end of the crisis which we are now going through. See to it that every human being of North Dakota comes out of it next spring, well fed and clothed.

I recommend the study on the part of the legislature of the lignite program, clay program, gold sand program, advocated by L. C. Harrington, Dean of the University of North Dakota.

#### **Fostering North Dakota Citizenship and Protecting It**

We must constantly cooperate to show the high value of citizenship in our state, based upon democratic principles of right and justice, guaranteed and preserved by our federal and state constitutions and the laws of this state. Under such principles we must protect motherhood in want, through mothers pension legislation; and the youth of our state with proper minimum wage laws and proper working hour regulations. Also we must protect labor to see that it receives a decent wage, and is protected in every industry where it functions.

Further, we must protect the poor and those who through unfortunate circumstances are harassed by heavy debts. For that reason I favor restriction of usurious contracts which exact exorbitant rates of interest. Just restrictions of law must be placed on tax loan sharks who profit on the inability of the poor to pay their taxes promptly. For that reason further I am in favor of protecting worthy old age, and have supported the Townsend Old Age Plan.

#### **Conclusion**

I want to conclude this message already sufficiently long. I want to affirm my allegiance to the platform of principles upon which I have been selected your Governor by vote of the people. I want to express my deep appreciation of the honor the people of this state have conferred upon me. I fully realize the great responsibilities of this office. I seek your friendship and your cooperation in the difficult problems which we now face in the government of this state.

Irrespective of your personal viewpoints, let us confer together and in mutual conference consider our differences, and not separately behind closed doors air our opinions of each other. Together we can do much for the betterment and progress of this state, and for the relief of our citizens now so sorely in distress within our state. Our people are now passing through the stormiest seas of economic depression and of world-wide devastation. Our people are looking over the hills to see tomorrow's sunshine of betterment for the protection of themselves, their homes, their business and their children. They look to you and me to cooperate for their interest for which purpose they have selected and elected both you and me.

I am hopeful for your aid and assistance to afford in this state that business and efficient administration which now it must have for the security of us all.

I thank you for your consideration and your attention.

Respectfully submitted,

WILLIAM LANGER,  
Governor.

Benediction by Rev. R. E. Strutz of Jamestown, North Dakota.

Representative Day moved that the Joint Session adjourn, which motion carried, and the Joint Session was adjourned.

The House reassembled with Speaker Math Dahl presiding.

Mr. Twichell moved that all members of the House whose affairs require their presence at home at this time, be, in view of the fact that committees cannot be made up until at least the end of the week, excused until Monday, the 11th, at one o'clock, and any matter upon which action is taken in the meantime may be within the legislative day of January 11th be reconsidered upon a majority vote, the rules being to that extent suspended.

The motion was carried.

The oath of office was administered to Representatives Bilgmeier and O. R. LaBerge, by the Speaker of the House.

The Speaker appointed on the Committee on Employment Representatives Savre, Morris and Treffry.

Representative John Magill appeared and filed his oath of office as members of the House of Representatives, said oath having been administered by the Honorable W. L. Nuessle, Judge of the Supreme Court.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: A. J. Stene, Barlow; Eilert Hjelseth, Carrington; Leander Paa, Sykeston; Martin Hjelseth, Carrington, Cornelius Gruntzes, Carrington; former Senator E. M. Indergaard, Carrington; F. W. Lonsbrough, Bottineau; Joe H. LePire, Cavalier; John R. Omland, Park River; Walter S. Martin, Mrs. Walter S. Martin, Fessenden; H. H. Swenson, I. H. Iverson, C. O. Carlson, Mrs. C. O. Carlson, Mrs. Chris W. Linnertz, Minot; Mrs. F. A. Vogel, Mrs. James Malloy, Bismarck; Mrs. E. M. Gillig, Fargo; Mr. J. W. Knecht, Bismarck; J. M. Hellesvig, Clarence Olson, Ed A. Olson, Maddock.

Mr. Godwin moved to recess until tomorrow at 1:15 P. M., which motion prevailed and the House was recessed.

MINNIE D. CRAIG,  
Chief Clerk.

## SECOND DAY AFTER RECESS AND THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
January 7, 1937.

The House convened at 1:15 P. M., pursuant to recess, Speaker Dahl presiding.

Mr. Frazier reported that the committee appointed to meet with a like committee from the Senate in regard to the telephone system had considered the matter and that the only arrangements that could be made were to have the same telephone system as that installed for the Twenty-fourth Legislative Assembly; that the Clerk of the House and the Secretary of the Senate act with the telephone company to have the system installed.

Mr. Frazier moved the adoption of the report.

Which motion carried.

Mr. Niewoehner moved that the House adjourn, which motion prevailed, and the House adjourned.

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 THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
January 7, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Rev. Benjamin Schlipf offered prayer.

## ROLL CALL

The roll was called and there were present, 91; absent, 22.

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Ritter

Messrs.	Messrs.	Messrs.
Beaton	Johnson	Sand
Benno	Jury	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Knutson, LaMoure	Schauss
Billigmeier	Krank	Schimke
Bjornson	LaBerge	Severson
Black	Leum	Shure, Cass
Blair	Levin	Shurr, Bottineau
Brown	Livingston	Solberg
Brusseau	Magill	Sticka
Burgum	McIntee	Stray
Byrne	Morland	Symington
Dalzell	Morris	Thoreson
Dittmer	Myers	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Niewoehner	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Holm	Nelson, Cass
Beggs	Jones	Peterson, Bot'neau
Caddell	Just	Rait
Day	Knudson, Steele	Savre
Dullea	Kraus	Seibel
Fitch	Langford	Semerad
Frey	McInnes	Thompson
Godwin		

REPORT OF STANDING COMMITTEES

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the First day after recess and the Second day and recommend that the same be corrected as follows:

On page 31, after line 32, insert the following: "The Speaker appointed on the Committee of Employment Representatives Savre, Morris and Treffry."

On page 31, change initials of Representative LaBerge to read "O. R." instead of "O. K."

And when so corrected recommend the same be approved.

VAL. P. WOLF,  
Chairman.

H. F. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

WHEREAS, due to the present conditions and existing tax and assessment laws, the County finds it impossible to carry on the necessary poor relief and Public Welfare needs with no tax moneys available, and,

WHEREAS, the cost of maintaining indigent patients at the State Hospital for the Insane at Jamestown, State School for Feeble Minded at Grafton and State Sanitorium for Tuberculosis at San Haven, North Dakota, is now being paid by Burke County and all other counties in the state, for their respective patients, and,

WHEREAS, this cost should properly be borne by the State with its greater opportunities for tax collections from sources not dependent on direct tax levies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Burke County assembled in adjointed session hereby respectfully petition the Twenty-fifth Legislative Assembly of the State of North Dakota to enact such laws as will transfer the cost of caring for these patients at these State institutions to the state itself and thus lighten the burden now carried by the Counties, which has become unbearable and impossible.

All Commissioners voted aye.

Motion carried.

Resolution adopted December 16, 1936.

Mr. Twichell moved the communication be printed in the Journal.

Which motion prevailed.

Mr. Stray submitted a similar resolution.

Mr. Traynor moved that the resolutions be held at the desk, and that when the committees were appointed the resolutions be submitted to the proper committee.

Mr. Knutson moved as a substitute motion that the resolution be printed in the Journal.

The question being on Mr. Knutson's substitute motion to print the resolution in the Journal, the motion was lost.

Mr. Traynor amended his original motion to the effect that all subsequent resolutions concerning this same matter be also submitted to the proper committee.

The question being on the original motion of Mr. Traynor, as amended, the motion prevailed.

Similar resolutions were submitted by the delegations of Cass and Mountrail Counties.

Mr. Magill submitted a communication from the College Farmers Union Local which was read and will be referred to the proper committee when committee appointments are made.

### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION NO. A

Introduced by Representatives Page and Caddell

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

WHEREAS, during the past years the Federal Government has made loans to the farmers of this state to aid them in the purchase of seed with which to plant their crops and has taken security for such loans in the form of notes secured by crop mortgages; and

WHEREAS, by reason of the continued drought conditions existing in this state, it has been absolutely impossible for our farmers to liquidate but a very small portion, if any, of such indebtedness; and

WHEREAS, it will be necessary for our farmers to receive further aid from the Federal Government during the year 1937 to enable them to purchase and obtain the necessary seed to plant their crops.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of North Dakota, the Senate concurring, that we respectfully urge the President of the United States of America to at once make such executive order as may be necessary to enable the farmers of the drought areas of the United States to obtain credit for seed or seed in kind for the planting of their crops during the year 1937 and that such seed as may be held by government agencies be made available for sale and distribution at once.

BE IT FURTHER RESOLVED that our senators and representatives in Congress be urged to co-operate with the President and government agencies in every possible way necessary to bring about the distribution of seed to distressed farmers in the drought areas in ample time for use at the commencement of the planting season.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded immediately to the President of the United States and to each Senator and Representative of the State of North Dakota in Congress.

Mr. Traynor moved that House Concurrent Resolution "A" be held at the desk until a similar Resolution be received from the Senate.

Mr. Morland made a substitute motion that House Concurrent Resolution "A" be adopted and sent over to the Senate.

The question being on Mr. Morland's substitute motion, the motion carried.

Mr. Twichell moved that House Concurrent Resolution "A"



be sent over to the Senate right away, which motion was carried.

Mr. Morland moved that House Concurrent Resolution "A" be printed in the Journal, which motion was carried.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 7, 1937.

Mr. President: I have the honor to inform you that the House has adopted Concurrent Resolution "A" and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Sand moved to recess for 10 minutes, which motion carried and the House recessed.

The Speaker called the House to Order after recess.

#### TWELFTH ORDER OF BUSINESS

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 7, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted Senate Concurrent Resolution "A" and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS DeDONALD,  
Secretary.

Mr. Traynor moved the adoption of Senate Concurrent Resolution "A".

Which motion was carried.

Mr. Twichell moved that Senate Concurrent Resolution "A" be returned to the Senate immediately.

Which motion carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that a committee of three be named to consult with the engineers in the State Capitol Building, and the Board, with reference to the installation of loud speaker equipment in the House of Representatives.

The motion prevailed, and the Speaker appointed the following committee: Representatives Burgum, Dittmer and Olson of Bowman.

## FIFTH ORDER OF BUSINESS

The Committee on Employment made the following report:

Mr. Speaker: Your committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

W. S. Place, Doorkeeper of Lower Gallery, Ranger, N. Dak.

H. C. Epping, Chief Mailing Clerk, Hope, North Dakota.

Mabel Engeseth, Stenographer, Bismarck, North Dakota.

Evelyn Dada, Stenographer, Devils Lake, North Dakota.

Asher Anderson, Clerk, Committee on Judiciary, Hannaford, North Dakota.

EDWARD SAVRE,  
Chairman.

Mr. Traynor moved that the report of the Employment Committee be adopted and that the persons mentioned in the report be elected to the offices which are set opposite their names.

## ROLL CALL

The question being on the motion of Mr. Traynor, the roll was called and there were ayes, 86; nays, 3; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Akland	Ireland	Peterson, Richland
Anderson	Jensen	Pewe
Anfinson	Jury	Sand
Beasley	Kapaun	Sandness
Beaton	Knutson, LaMoure	Saumur
Benno	Krank	Schauss
Biberdorf	LaBerge	Semerad
Black	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Livingston	Shurr, Bottineau
Brusseau	Magill	Solberg
Burgum	McInnes	Sticka
Byrne	McIntee	Stray
Dalzell	Morland	Symington
Dittmer	Morris	Thoreson
Freitag	Nelson, Sargent	Traynor
Frosaker	Niewoehner	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams

Messrs.	Messrs.	Messrs.
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Myers	Schimke

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Frey	Langford
Bieloh	Graham	Nelson, Cass
Billigmeier	Greiser	Rait
Bjornson	Johnson	Ritter
Caddell	Jones	Savre
Day	Just	Seibel
Dullea	Knudson, Steele	Thompson
Fitch	Kraus	Treffry

So the motion prevailed.

The oath of office was administered by the Speaker to Evelyn Dada, H. C. Epping, Mabel Engeseth, Asher Anderson and W. S. Place.

#### SIXTH ORDER OF BUSINESS REPORT OF SELECT COMMITTEES

The Committee on Printing and Distribution of Journals made the following report:

Mr. Speaker: Your Committee on Printing and Distribution of Journals appointed to confer with a like committee from the Senate beg leave to report as follows:

We recommend the printing of 4,000 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, ten copies of this Journal; and that in addition thereto, there be placed on the mailing list all state institutions, public libraries, State Historical society, high schools, consolidated rural schools, all county judges, county auditors, the auditor of each incorporated city, the president of the village council of each incorporated village, secretary of Taxpayer's association, secretary of labor clubs, and any newspaper published in the State, and by request any farmers' club, commercial club, or women's club within the state may be placed on the mailing list at the request of any member of either House; that all Bills and Journals authorized by this resolution be printed shall be delivered by the printer direct to the secretary of the Publication and Printing Commission, who shall receipt therefor to the printer.

That we recommend that each member of the House hand to the chairman of this committee a list of names and addresses to whom he wishes copies mailed, such list to be handed by the chairman to the mailing clerk.

And, we would further recommend that there be printed

300 copies of the Permanent Journals, the 300 copies of the Permanent Journals herein provided for to be distributed as follows: One copy to each member of the respective Houses and the balance to be delivered to the office of the Secretary of State and by him to be distributed as provided by law.

It is also recommended that there be printed 500 copies of each Bill introduced in either House.

Respectfully submitted,

For the House:

GUS A. SCHAUSS  
K. A. FITCH  
CHARLES OLSON.

For the Senate:

MAX H. STREHLOW  
MELVIN P. JOHNSON  
JOHN GRANDAHL.

Mr. Schauss moved that the report be adopted.

#### ROLL CALL

The roll was called and there were ayes, 88; nays, 0; absent and not voting, 25.

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Renville
Akland	Jensen	Peterson, Richland
Anderson	Jury	Sand
Anfinson	Kapaun	Sandness
Beasley	Knutson, LaMoure	Saumur
Beaton	Krank	Schauss
Benno	LaBerge	Schimke
Bjornson	Leum	Semerad
Black	Levin	Severson
Blair	Livingston	Shure, Cass
Brown	Magill	Shurr, Bottineau
Brusseau	McInnes	Solberg
Burgum	McIntee	Sticka
Byrne	Morland	Stray
Dalzell	Morris	Symington
Dittmer	Myers	Thoreson
Frazier	Nelson, Sargent	Traynor
Freitag	Niewoehner	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Hagen	Oglesby	Urschel
Haines	Olson, Adams	Wendland
Hofstrand	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Williams
Holthusen	Page	Wolf
Hultstrand	Peterson, Bot'neau	Mr. Speaker
Huseby		

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Godwin	Langford
Biberdorf	Graham	Nelson, Cass
Bieloh	Greiser	Pewe
Billigmeier	Johnson	Rait
Caddell	Jones	Ritter
Day	Just	Savre
Dullea	Knudson, Steele	Seibel
Fitch	Kraus	Thompson
Frey		

So the report was adopted.

Mr. Sand moved that the House now recess until 1:15 o'clock tomorrow.

Which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRD DAY AFTER RECESS AND FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 8, 1937.

The House convened at 1:15 P. M., pursuant to recess,  
Speaker Dahl presiding.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 8, 1937.

Mr. President: I return herewith Senate Concurrent Res-  
olution "A," which the House has adopted.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 8, 1937.

Mr. Speaker: I have the honor to return herewith House  
Concurrent Resolution "A," which the Senate has adopted  
unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

SIXTH ORDER OF BUSINESS

Mr. Burgum reported that the committee appointed to  
confer with engineers and Board of Administration has acted,  
and that the Board is willing to put in a loud speaking sys-  
tem; however, they reported that a loud speaker system  
had been unsatisfactory at the previous session. The engineer  
advised the committee that the trouble arose from the con-  
fusion in the corridor back of the House Chamber.

## REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

Paul C. Bennett, Second Assistant Chief Clerk, Bismarck.

Clara Kane, Stenographer, Fargo, N. D.

James J. Flynn, Page, Jamestown, N. D.

Gottlieb Diede, Second Assistant Mailing Clerk, Antelope.

EDWARD SAVRE,  
Chairman.

Mr. Savre moves the adoption of the report.

## ROLL CALL

The question being on the election of Paul C. Bennett, Second Assistant Chief Clerk; Clara Kane, Stenographer; James J. Flynn, Page, and Gottlieb Diede, Second Assistant Mailing Clerk, the roll was called and there were ayes, 85; nays, 3; absent and not voting, 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Richland
Akland	Jensen	Pewe
Anderson	Jury	Ritter
Anfinson	Kapaun	Sand
Beasley	Knudson, Steele	Sandness
Beaton	Knutson, LaMoure	Saumur
Beggs	LaBerge	Savre
Benno	Leum	Schauss
Biberdorf	Levin	Schimke
Black	Livingston	Semerad
Blair	Magill	Severson
Brown	McInnes	Shure, Cass
Burgum	Morland	Shurr, Bottineau
Byrne	Morris	Solberg
Dalzell	Myers	Sticka
Dittmer	Nelson, Sargent	Stray
Freitag	Niewoehner	Symington
Frosaker	Norheim	Thoreson
Gessner	O'Brien	Traynor
Gilberg	Odegard	Treffry
Goodlaxon	Oglesby	Trydahl
Greiser	Olson, Adams	Tweten
Hagen	Olson, Bowman	Wendland
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Wick
Holm	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Holthusen	Peterson, Renville	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brusseau	Hultstrand	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Godwin	McIntee
Billigmeier	Graham	Nelson, Cass
Bjornson	Johnson	Obach
Caddell	Jones	Rait
Day	Just	Seibel
Dullea	Krank	Thompson
Fitch	Kraus	Twichell
Frazier	Langford	Urschel
Frey		

So the motion prevailed, and the nominees were duly elected.

The Speaker administered the oath of office to Clara Kane, Stenographer; James J. Flynn, Page, and Gottlieb Diede, Second Assistant Mailing Clerk.

Mr. Sand moved that the House adjourn, which motion was carried, and the House was adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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#### FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 8, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Benjamin Schlipf.

#### ROLL CALL

The roll was called and there were 95 present, 18 absent.

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anderson	Jensen	Ritter
Anfinson	Jury	Sand
Beasley	Kapaun	Sandness
Beaton	Knudson, Steele	Saumur
Beggs	Knutson, LaMoure	Savre
Benno	LaBerge	Schimke
Biberdorf	Leum	Seibel
Billigmeier	Levin	Semerad
Black	Livingston	Severson
Blair	Magill	Shure, Cass
Brown	McInnes	Shurr, Bottineau
Brusseau	McIntee	Solberg



Messrs.	Messrs.	Messrs.
Burgum	Morland	Sticka
Byrne	Morris	Stray
Dalzell	Myers	Symington
Dittmer	Nelson, Sargent	Thoreson
Freitag	Niewoehner	Traynor
Frey	Norheim	Treffry
Frosaker	Obach	Trydahl
Gessner	O'Brien	Tuff
Gilberg	Odegard	Tweten
Goodlaxon	Oglesby	Twichell
Graham	Olson, Adams	Urschel
Greiser	Olson, Bowman	Wendland
Hagen	Olson, McLean	White
Haines	Olson, Sargent	Wick
Hofstrand	Page	Williams
Holm	Peterson, Bot'neau	Wolf
Holmquist	Peterson, Renville	Mr. Speaker
Hultstrand		

Absent:

Messrs.	Messrs.	Messrs.
Bieloh	Godwin	Kraus
Bjornson	Holthusen	Langford
Caddell	Johnson	Nelson, Cass
Day	Jones	Rait
Dullea	Just	Schauss
Fitch	Krank	Thompson
Frazier		

#### REPORT OF STANDING COMMITTEES

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

Mr. Speaker: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Second Day after recess and Third Day, and recommend that the same be corrected as follows:

On pages 2, 7, and 9, "Knutson, Steele," should be "Knudson, Steele."

On page 8, line 11, correct spelling of the name "Schauss."

On page 7, in the fifth line from bottom, strike out the word "Senate" and insert the word "House."

And when so corrected recommend the same be approved.

VAL P. WOLF,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE RESOLUTION

WHEREAS, Representatives Jones from Richland County and Bjornson from Williams County, both duly elected mem-

bers of this Legislative Assembly, are now both ill and unable to attend the sessions of the House;

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of this Legislative Assembly that we express to Representatives Jones and Bjornson our sincere wish and desire for their speedy recovery.

BE IT FURTHER RESOLVED that this resolution be printed in the Journal, and also that copies of this resolution be sent to Mr. Jones and Mr. Bjornson.

Presented by James G. Thoreson.

Mr. Thoreson moved that the Resolution be adopted, which motion was carried.

Mr. Sand moved that the Speaker clear the corridor at the back of the House Chamber, which motion was carried and the Speaker instructed the Sergeant-at-Arms to clear the corridor.

The Speaker administered the oath of office to Paul C. Bennett as Second Assistant Chief Clerk.

#### EIGHTH ORDER OF BUSINESS

Mr. Blair moved that courtesy of the floor cards be limited to three days.

Which motion was carried.

Mr. Traynor moved that the committee appointed to investigate the acoustics of the House Chamber continue to act, and that they secure advice from a professional acoustics engineer.

Which motion prevailed.

Mr. Sand moved that the House recess to 1:15 p. m., tomorrow.

Which motion carried and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

## FOURTH DAY AFTER RECESS AND FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 9, 1937.

The House convened at 1:15 P. M., pursuant to recess, Speaker Dahl presiding.

Mr. Sand asked that the House be on the Sixteenth Order of Business.

Which request was granted.

Mr. Sand stated that he had called on the two members who were in the hospital, Mr. Jones and Mr. Bjornson, and that they had asked him to thank the House members for their thoughtfulness in sending the letters and the flowers that they had sent.

The Speaker called Mr. Wolf to the chair.

The Speaker returned to the chair.

## EIGHTH ORDER OF BUSINESS

The Speaker signed House Concurrent Resolution "A."

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 9, 1937.

Mr. President: I have the honor to transmit herewith the following Resolution:

## HOUSE CONCURRENT RESOLUTION "A"

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

**SIXTH ORDER OF BUSINESS**  
**REPORT OF EMPLOYMENT COMMITTEE**

Mr. Speaker: Your Committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

Ben Fedje, Voucher Clerk, Bonetrail.

Ray Cooper, Assistant Postmaster, Buxton.

Mrs. H. B. Kolstad, Postmistress, Steele.

Beatrice Brunell, Assistant Stenographer and Telephone Girl, Fargo.

Oscar Odegaard, Men's Cloakroom Attendant, Pekin.

Kenneth Morgan, Page, Walcott.

F. L. Bowerman, Attendant and Marshal, Clement.

Mrs. M. M. Ruder, Ladies' Cloakroom Attendant, Bismarck.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

**ROLL CALL**

The question being on the election of Ben Fedje, Voucher Clerk; Ray Cooper, Assistant Postmaster; Mrs. H. B. Kolstad, Postmistress; Beatrice Brunell, Assistant Stenographer and Telephone Girl; Oscar Odegaard, Men's Cloakroom Attendant; Kenneth Morgan, Page; F. L. Bowerman, Attendant and Marshal, and Mrs. M. M. Ruder, Ladies' Cloakroom Attendant, the roll was called and there were ayes, 66; nays, 18; absent and not voting, 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Jury	Peterson, Richland
Anfinson	Just	Pewe
Beasley	Kapaun	Sand
Beaton	Knutson, LaMoure	Sandness
Benno	LaBerge	Saumur
Biberdorf	Langford	Savre
Billigmeier	Leum	Schauss
Black	Levin	Severson
Blair	Livingston	Shure
Brown	Magill	Shurr
Byrne	McInnes	Sticka
Dalzell	McIntee	Stray
Frey	Morland	Symington
Gessner	Morris	Traynor
Gilberg	Norheim	Treffry
Goodlaxon	O'Brien	Trydahl

Messrs.	Messrs.	Messrs.
Hagen	Odegard	Tweten
Haines	Olson, Bowman	Twichell
Hofstrand	Olson, Sargent	Urschel
Holm	Page	Wendland
Holthusen	Peterson, Bot'neau	Wick
Huseby	Peterson, Renville	Mr. Speaker
Jensen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hulstrand	Schimke
Akland	Ireland	Solberg
Beggs	Myers	Thoreson
Brusseau	Oglesby	Tuff
Dittmer	Olson, Adams	White
Holmquist	Olson, McLean	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Godwin	Nelson, Sargent
Bjornson	Graham	Niewoehner
Burgum	Greiser	Obach
Caddell	Johnson	Rait
Day	Jones	Ritter
Dullea	Knudson, Steele	Seibel
Fitch	Krank	Semerad
Frazier	Kraus	Thompson
Freitag	Nelson, Cass	Wolf
Frosaker		

So the motion prevailed, and the nominees were duly elected.

The Speaker administered the oath of office to Ben Fedje, Voucher Clerk; Ray Cooper, Assistant Postmaster; Mrs. H. B. Kolstad, Postmistress; Beatrice Brunell, Assistant Stenographer and Telephone Girl; Oscar Odegaard, Men's Cloak-room Attendant; Kenneth Morgan, Page; F. L. Bowerman, Attendant and Marshal, and Mrs. M. M. Ruder, Ladies' Cloak-room Attendant.

Mr. Sand moved that the House adjourn, which motion carried and the House was adjourned.

#### FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 9, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Joseph F. Schmidt of Bismarck.

The roll was called, and all members were present except Representatives Benno, Bieloh, Bjornson, Burgum, Caddell,

Day, Dullea, Fitch, Frazier, Freitag, Frey, Frosaker, Godwin, Graham, Greiser, Johnson, Jones, Just, Knudson of Steele, Krank, Kraus, Langford, McIntee, Nelson of Cass, Obach, Rait, Ritter, Savre, Seibel, Semerad and Thompson.

So a quorum was declared present.

#### REPORT OF STANDING COMMITTEES

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Third Day after Recess and Four Day, and recommend that the same be amended as follows:

On page 5, in line 18, strike out the word "oats" and insert the word "oath."

And when so corrected recommend the same be approved.

VAL. P. WOLF,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

The Chief Clerk read communication from Geo. Worner of Great Bend, North Dakota, presented by the Representatives from Richland County.

Mr. Wolf moved that the communication be printed in the Journal.

Which motion prevailed.

Great Bend, N. Dak.,  
January 4, 1937.

To the Honorable House of Representatives,  
Bismarck, North Dakota.

I have been a member of the House in 1925-1927-1929 and 1931, and I would have liked to have been with you in our New Capitol, and to have met some of my good friends. I love the State in which I have lived since 1878. I believe you will have some difficult problems to solve, and you will need God's guidance to do justice. So let us forget partyism, and work together for the best interest of Our State. Wishing God's blessing to rest upon you in the 1937 session, I am

Your friend,

GEORGE WORNER.

The Chief Clerk read a communication from the State Planning Board.

Mr. Olson of Adams moved that the communication be printed in the Journal.

Which motion prevailed.

Bismarck, North Dakota  
January 7, 1937.

To the Honorable Members,  
25th Legislative Assembly,  
State of North Dakota,  
Bismarck, North Dakota.

Gentlemen:

For the past 18 months, the North Dakota State Planning Board, in cooperation with federal and state agencies, has been making a study of the water resources of North Dakota with a view to developing a permanent water plan for the State.

A report covering such a program is now ready for presentation. The projects included in this report have already been transmitted by the North Dakota State Planning Board to federal agencies in Washington, and which, in turn, are expected to lay such program before the Congress of the United States, at the present session.

In order that the Honorable members of this Legislative Assembly might become better acquainted with the program as set up, involving construction work in every county of the State, the Planning Board has arranged for a meeting at 3:00 p. m., Tuesday, January 19, 1937, in the Hearing Room of this State Capitol, at which time every phase of this program will be thoroughly discussed.

A cordial invitation is extended to this Assembly.

Respectfully submitted,

For the State Planning Board.

By M. O. RYAN,  
Executive Director,

#### SEVENTH ORDER OF BUSINESS

Mr. Sand moved that the arrangements for Chaplain in the House of Representatives be left to the Ministerial Association of Bismarck and Mandan.

#### ROLL CALL

The question being on Mr. Sand's motion, the roll was called and there were ayes, 84; nays, 0; absent and not voting 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hulstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anderson	Ireland	Pewe
Anfinson	Jensen	Sandness
Beasley	Jury	Saumur
Beaton	Kapaun	Schauss
Beggs	Knutson, LaMoure	Schimke

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benno	LaBerge	Semerad
Biberdorf	Leum	Shure
Billigmeier	Levin	Shurr
Black	Livingston	Solberg
Blair	Magill	Sticka
Brown	McInnes	Stray
Brusseau	McIntee	Symington
Byrne	Morland	Thoreson
Dalzell	Myers	Traynor
Day	Nelson, Sargent	Treffry
Dittmer	Niewoehner	Trydahl
Freitag	Norheim	Tuff
Gessner	O'Brien	Tweten
Gilberg	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Hagen	Olson, Adams	Wendland
Haines	Olson, Bowman	White
Hofstrand	Olson, McLean	Wick
Holm	Olson, Sargent	Williams
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bieloh	Graham	Nelson, Cass
Bjornson	Greiser	Obach
Burgum	Johnson	Rait
Caddell	Jones	Ritter
Dullea	Just	Sand
Fitch	Knudson, Steele	Savre
Frazier	Krank	Seibel
Frey	Kraus	Severson
Frosaker	Langford	Thompson
Godwin	Morris	

So the motion prevailed.

Mr. Traynor moved that the House recess to 1 P. M., Monday, which motion prevailed and the House recessed.

COURTESY OF THE FLOOR

The courtesies of the floor were extended to:

Louise Orish, Plaza; G. F. Inman, Hurdsfield; Holga Kolstad, Steele; Edythe Schmidt, Bowdon; S. T. Kvammen, Minnot; Roy Peterson, Watford City; Mrs. H. E. Williams, Richland; John Odegard, Richland; C. G. Boise, Bismarck; R. A. Rottweiler, Grand Forks; Mrs. R. A. Rottweiler, Grand Forks.

MINNIE D. CRAIG,  
Chief Clerk.



## FIFTH DAY AFTER RECESS AND SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 11, 1937.

The House convened at 1:00 p. m., pursuant to recess, Speaker Dahl presiding.

Mr. Godwin requested that the House be on the seventh order of business.

Which request was granted.

Mr. Godwin: "I move that the Speaker appoint a committee for the purpose of investigating the alleged contest concerning my election and right to sit in this assembly."

The motion was carried.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January, 9, 1937.

Mr. Speaker: I have the honor to return herewith:

House Concurrent Resolution "A."

Which the President of the Senate has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Chief Clerk read Joint Resolution "C."

Mr. Godwin moved the adoption of Joint Resolution "C."

## ROLL CALL

The question being on the adoption of Joint Resolution "C" the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Renville
Akland	Holmquist	Peterson, Richland
Anderson	Holthusen	Pewe
Anfinson	Hultstrand	Rait
Beasley	Huseby	Ritter
Beaton	Ireland	Sand
Beggs	Jensen	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Billigmeier	Kapaun	Schauss
Bjornson	Knudson, Steele	Schimke
Black	Knutson, LaMoure	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	Magill	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Dittmer	Morland	Thompson
Dullea	Morris	Thoreson
Fitch	Myers	Traynor
Frazier	Nelson, Cass	Treffry
Freitag	Nelson, Sargent	Trydahl
Frey	Niewoehner	Tuff
Gessner	Norheim	Tweten
Gilberg	O'Brien	Twichell
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	Wendland
Graham	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Hagen	Olson, Sargent	Williams
Haines	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Jones	Obach
Frosaker	Krank	Olson, Adams
Johnson	Kraus	

So the Resolution was adopted.

Mr. Frazier: I want to explain my vote. I am in favor of rushing immediate relief to our people, but I want the borrowed money to be spent for relief, instead of ninety percent of it being spent for salaries and administration, and only ten percent going to the people in need."

Mr. Symington moved that Joint Resolution "C" be printed in the Journal.

Which motion carried.

## JOINT RESOLUTION "C"

Introduced by Representatives Symington, Olson of Bowman,  
Dalzell and Morland

Requesting the Bank of North Dakota, with the approval of the Industrial Commission, to make a loan to the Public Welfare Board of North Dakota to meet existing relief emergency.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING; that

WHEREAS, the Public Welfare Board of North Dakota, as created by Chapter 221 of the 1935 Session Laws, is a Department of this State; and

WHEREAS, the Bank of North Dakota, under the provisions of Section 5192a15 of the 1925 Supplement to the Compiled Laws of 1913, is authorized, with the approval of the Industrial Commission of this State, to transfer funds and make loans to any State Department, which funds shall be returned to the Bank of North Dakota with interest; and

WHEREAS, the funds available at this time to the said Public Welfare Board are insufficient to grant adequate relief to our needy people; and

WHEREAS, no funds out of the State Treasury can be appropriated by this Legislative Assembly soon enough to meet the existing urgent emergency and be made available to the said Board when most needed;

BE IT THEREFORE RESOLVED, that the Industrial Commission be requested to approve a loan of Three Hundred Thousand Dollars (\$300,000) by the Bank of North Dakota to the Public Welfare Board of North Dakota, the proceeds of said loan to be made available immediately and to be reimbursed to the said Bank of North Dakota with interest in such manner and out of such public monies as this Twenty-Fifth Legislative Assembly may later direct by appropriate enactment.

## SIXTH ORDER OF BUSINESS

The committee on employment made the following report:

Mr. Speaker: Your committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

Mrs. Ruby Williams, Telephone Messenger, Devils Lake.

Margaret McDonald, Stenographer, Grand Forks.

Mabel Kallon, Stenographer, Turtle Lake.

Sophie Tengesdal, Stenographer, Maxbass.

David Foerderer, Page and Messenger, Wishek.

Peter W. Haarsager, First Ass't Mailing Clerk, Litchville.

Arnold Banse, Ass't. Enrolling and Engrossing Clerk, Perth.

Henry O. Lundene, Bill Room Clerk, Park River.

E. A. Ernest, Ass't. Sergeant-at-Arms and Doorkeeper, Beach.

F. B. Sharkey, Proofreader, Wyndmere.

Mrs. Ingberg, Ass't. Proofreader, Ray.

Alfred Gast, Janitor, Tyler.

John Byrne, Janitor, Nortonville.

Nels Peterson, Janitor, Watford City.

Thomas Crawford, Janitor, Velva.

Andrew Wold, Janitor, Hague.

J. M. Joiner, Nightwatchman, Berthold.

Wm. Rathbun, Page and Messenger, Crystal.

EDWARD SAVRE,  
Chairman.

Mr. Goodwin moved the adoption of the report.

ROLL CALL

The question being on the election of Mrs. Ruby Williams, Telephone Messenger; Margaret McDonald, Stenographer; Mabel Kallon, Stenographer; Sophie Tengesdal, Stenographer; David Forderer, Page and Messenger; Peter W. Haarsager, First Assistant Mailing Clerk; Arnold Banse, Assistant Enrolling and Engrossing Clerk; Henry O. Lundene, Bill Room Clerk; E. A. Ernest, Assistant Sergeant-at-Arms; F. B. Sharkey, Proofreader; Mrs. S. Ingberg, Assistant Proofreader; Alfred Gast, Janitor; John Byrne, Janitor; Nels Peterson, Janitor; Thomas Crawford, Janitor; Andrew Wold, Janitor; J. M. Joiner, Nightwatchman, and Leo Rathbun, Page and Messenger, the roll was called and there were ayes, 94; nays, 10; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hofstrand	Peterson, Bot'neau
Anfinson	Holm	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Sand
Benno	Ireland	Sandness
Biberdorf	Jensen	Saumur
Bieloh	Jury	Savre
Billigmeier	Just	Schauss
Bjornson	Kapaun	Schimke
Black	Knudson, Steele	Seibel
Blair	Knutson, LaMoure	Semerad
Brown	LaBerge	Severson
Brusseau	Langford	Shure, Cass
Burgum	Leum	Shurr, Bottineau
Byrne	Levin	Solberg
Caddell	Livingston	Sticka

Messrs.	Messrs.	Messrs.
Dalzell	Magill	Stray
Day	McInnes	Symington
Dittmer	Morland	Thompson
Dullea	Morris	Thoreson
Fitch	Nelson, Cass	Traynor
Freitag	Nelson, Sargent	Treffry
Frey	Niewoehner	Trydahl
Gessner	Norheim	Tweten
Gilberg	O'Brien	Urschel
Godwin	Odegard	Wendland
Goodlaxon	Olson, Bowman	White
Graham	Olson, McLean	Wick
Greiser	Olson, Sargent	Wolf
Hagen	Page	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	McIntee	Rait
Akland	Myers	Tuff
Frazier	Oglesby	Williams
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Frosaker	Krank	Olson, Adams
Johnson	Kraus	Ritter
Jones	Obach	Twichell

So the motion prevailed and the nominees were declared elected.

The Speaker administered the oath of office to Mrs. Ruby Williams, telephone messenger; Margaret McDonald, stenographer; Mabel Kallon, stenographer; Sophie Tengesdal, stenographer; Peter W. Haarsager, first assistant mailing clerk; Arnold Banse, assistant enrolling and engrossing clerk; Henry O. Lundene, bill room clerk; E. A. Ernest, assistant sergeant-at-arms; F. B. Sharkey, proof reader; Mrs. S. Ingberg, assistant proof reader; Alfred Gast, janitor; John Byrne, janitor; Nels Peterson, janitor; Thomas Crawford, janitor; Andrew Wold, janitor; J. M. Joiner, night watchman, and Leo Rathbun, page and messenger.

#### FIRST READING OF HOUSE BILLS

Messrs. Wolf and Burgum introduced:

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Was read the first time.

Mr. Godwin moved that House Bill No. 1 be received and

that at the proper time the Speaker refer the same to the proper committee.

Which motion was carried.

Mr. Morland moved that the House adjourn, which motion carried and the House was adjourned.

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SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 11, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Joseph Schmidt.

The roll was called, and all members were present except Representatives Burgum, Johnson, Jones, Krank, Kraus, Obach, Olson of Adams, Ritter, Symington, and Wendland.

So a quorum was declared present.

The Clerk read a communication of appreciation from Mrs. Dan R. Jones.

Mr. Bjornson thanked the House for sending him flowers during his illness.

The Clerk read a communication from Emmons County farmers, signed by Archie Nelson and 55 others.

Mr. Godwin moved that the communication be received and referred to the proper committee.

Which motion was carried.

The Speaker announced the following committee appointments:

HOUSE STANDING COMMITTEES

**AGRICULTURE:** Shurr of Bottineau (chairman), Knutson of LaMoure, Beaton, McInnes, Bieloh, Holm, Day, Morris, Beasley, Frey, Dalzell, Hagen, Pewe, Rait, Schimke, Semerad, Livingston.

**APPORTIONMENT:** Urshel (chairman), Dalzell, Black, Levin, LaBerge, Wick, Saumer, Trydal, Odegard, Beaton, Fitch, Dittmer, Jones, Olson of Sargent, Severson, Oglesby, Savre, Huseby, Hultstrand, Tweten, Gessner, Norheim, Burgum, Sandness, Jury, Wolf, Day, Peterson of Bottineau, Livingston, Godwin, Krank, Treffry, Myers, Biberdorf, Adam, Greiser, Williams, Thoreson, Brown, Frazier, Anderson, Sand, Peterson of Renville, Haines, Solberg, Freitag, Caddell, Jensen, Holmquist.

**APPROPRIATIONS:** Sand (chairman), Beggs, Adam, Dullea, Frazier, Frosaker, Gessner, Hultstrand, Krank, Levin,

Biberdorf, Norheim, Peterson of Bottineau, Ritter, Leum, Schimke, Symington, Thompson, Urschel.

**BANKS AND BANKING:** Thoreson (chairman), Savre, Levin, Treffry, Traynor, Solberg, McInnes, Peterson of Renville, Gilberg, Anfinson, Beggs, Semerad, Anderson, Shure of Cass, Wendland, Page, Ireland.

**CITIES AND MUNICIPAL CORPORATIONS:** Stray (chairman), Odegard, Leum, Fitch, Greiser, LaBerge, O'Brien, Jensen, Wick, Williams, Shure of Cass.

**CORPORATIONS OTHER THAN MUNICIPAL:** Biberdorf (chairman), Greiser, Holm, Oglesby, Peterson of Richland, Akland, Ireland, Myers, Nelson of Cass.

**COUNTIES:** Frazier (chairman), Billigmeier, Beasley, Caddell, Just, Jensen, Twichell, Trydahl, Treffry.

**DELAYED BILLS:** Chairman to be selected by the committee as per rule No. 41; Beggs, Hultstrand, Hofstrand, Hagen, Seibel.

**DRAINAGE AND IRRIGATION:** Graham (chairman), Hagen, Magill, Kraus, Biberdorf, Sand, Huseby, Rait, Brown, Bieloh, Norheim.

**EDUCATION:** Schauss (chairman), Peterson of Bottineau, Olson of McLean, Magill, Livingston, Leum, Peterson of Renville, Just, Niewoehner, Holm, Black, Holmquist, Huseby, Johnson, Obach, Thoreson, Beaton.

**ELECTIONS AND ELECTION PRIVILEGES:** Caddell (chairman), Anfinson, Bjornson, Hofstrand, Jones, McIntee, Trydahl, Olson of McLean, Morland, Goodlaxon, Langford, Severson, Sticka, Akland, Ritter.

**ENGROSSMENT AND ENROLLMENT:** Dittmer (chairman), Burgum, Just, Brusseau, Solberg, Thoreson, Trydahl, Tuff, Page.

**FEDERAL RELATIONS:** Dullea (chairman), Freitag, Holm, Nelson of Sargent, Day, Jury, Dalzell.

**GAME AND FISH:** Olson of Adams (chairman), Odegard, Kapaun, Wolf, Thompson, Johnson, Bieloh, Hultstrand, Frey,

**HIGHWAYS AND BRIDGES:** O'Brien (chairman), Tweten, Brusseau, Caddell, Magill, Graham, Holthusen, Frey, Jury, Blair, Billigmeier, Olson of Bowman, Krank, Shurr of Bottineau, Stray, Frazier, White.

**INSURANCE:** Myers (chairman), Olson of Adams, Byrne, Dittmer, Fitch, Frazier, Freitag, Frosaker, Gessner, Haines, Knutson of LaMoure, Morris, Niewoehner, Schauss, Sticka, White, Wolf.

**JUDICIARY:** Savre (chairman), Brusseau, Burgum, Holthusen, LaBerge, Gilberg, Twichell, Knudson of Steele, Symington, Olson of McLean, Myers, Ireland, Billigmeier, White, Tweten, Treffry, Anderson, Seibel, Rait.

**LIVESTOCK:** Treffry (chairman), Urschel, Obach, Tuff, Goodlaxon, Graham, Dullea, Day, Langford, Nelson of Cass, Hofstrand, Krank, Pewe, Ritter, McIntee, Oglesby, McInnes.

**MILEAGE AND PER DIEM:** Knutson of LaMoure (chairman), Dittmer, Dalzell.

**MILITARY AFFAIRS:** Peterson of Bottineau (chairman), Ireland, Morris, Magill, Tweten, Obach, Leum, Huseby, Knudson of Steele.

**MINES AND MINING:** Seibel (chairman), Beggs, Just, Johnson, Beasley, Savre, Bieloh, Bjornson, Olson of Bowman.

**PUBLIC DEBT:** Levin (chairman), Stray, Shurr of Bottineau, Urschel, Rait, Olson of Bowman, Schimke, Wendland, Shure of Cass, Nelson of Sargent, Peterson of Richland.

**PUBLIC HEALTH:** Odegard (chairman), Tuff, Adam, Niewoehner, Beaton, Thompson, Sticka, Nelson of Sargent, Kraus.

**PUBLIC PRINTING:** Greiser (chairman), Stray, Wolf, Wick, Morris, Olson of Sargent, Urschel, Black, Knudson of Steele.

**PUBLIC SAFETY:** Williams (chairman), Holmquist, McInnes, Beggs, LaBerge, Beasley, Akland, Brusseau, Kraus.

**RAILROADS:** Ritter (chairman), Semerad, Wendland, Johnson, Morland, Godwin, Black, Holthusen, Blair, Langford, Pewe, Rait, Obach.

**REVISION AND CORRECTION OF JOURNAL:** Freitag (chairman), Thoreson, Oglesby, Olson of Sargent, Nelson of Cass, Beaton, Jensen.

**RULES:** Hultstrand (chairman), Adam, Twichell, Williams, Solberg, McInnes, Livingston, Levin, Oglesby.

**SCHOOL AND PUBLIC LANDS:** Brusseau (chairman), Sticka, Benno, Tweten, Tuff, Dittmer, Thompson, Sandness, Page.

**STATE AFFAIRS:** Wolf (chairman), Biberdorf, Odegard, Williams, Twichell, Greiser, McIntee, Caddell, Freitag, Saumur, Knutson of LaMoure, Haines, Bjornson, Burgum, Holthusen, Byrne, Traynor, Black, Hagen.

**TAX AND TAX LAWS:** Jensen (chairman), Billigmeier, Stray, Wick, Jones, Akland, Kapaun, Peterson of Renville, Gilberg, Olson of Bowman, Kraus, Ritter, Shurr of Bottineau, Schauss, Saumur, Brown, Page.

**TEMPERANCE:** Hagen (chairman), McIntee, Beasley, Holm, Tuff, Byrne, O'Brien, Holmquist, Morris, Olson of McLean, Semerad, White, Schimke, Olson of Sargent, Johnson.

**WAREHOUSE AND GRAIN GRADING:** Adams (chairman), Huseby, Holmquist, Blair, Gessner, Sandness, Trydahl, Traynor, Olson of Adams, Wick, Wendland, Shure of Cass, Severson, Krank, Haines, Bjornson, Anderson.



WAYS AND MEANS: Anfinson (chairman), Seibel, O'Brien, Peterson of Bottineau, Haines, Benno, Symington, Pewe, Traynor, Brusseau, Beggs, Schauss, Brown, Fitch, Peterson of Richland.

#### JOINT COMMITTEES

JOINT COMMITTEE ON CHARITABLE INSTITUTIONS: Anderson (chairman), Livingston, Niewoehner, Peterson of Richland, Norheim, Anfinson, Schauss.

JOINT COMMITTEE ON EDUCATIONAL INSTITUTIONS: Pewe (chairman), White, Blair, Benno, Symington, Godwin, Frosaker.

JOINT COMMITTEE ON INSURANCE: Billigmeier (chairman), Knutson of LaMoure, Byrne, Jones, Morland, Semerad, Shurr of Bottineau.

JOINT COMMITTEE ON LABOR: White (chairman), Olson of McLean, Jury, Knudson of Steele, Shure of Cass, Ritter, Ireland.

JOINT COMMITTEE ON PENAL INSTITUTIONS: Beaton (chairman), Sand, Norheim, Nelson of Sargent, Langford, Obach, Ireland.

JOINT COMMITTEE ON PUBLIC BUILDINGS: Olson of McLean (chairman), Savre, Burgum, Bjornson, Frey, Akland, Olson of Sargent.

JOINT COMMITTEE ON RULES: Levin (chairman), Tuff, Kapaun, Benno, Wolf, Savre, Day.

JOINT COMMITTEE ON STATE LIBRARY: Sticka (chairman), Seibel, Goodlaxon, Frosaker, Morland, Urschel, Bieloh.

#### REPORTS OF STANDING COMMITTEES

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

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

On page 4, line 12, change the word "Four" to "Fourth."

On page 5, in line 5 from the bottom, correct spelling of the name "Olson."

On page 3, in roll call, Mr. Hagen is recorded as being absent whereas he was present and voted "aye."

And when so corrected recommend the same be approved.

VAL P. WOLF,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee for the Assignment of Committee Rooms have conferred with a like committee in the Senate and beg leave to report the following room assignments to the following committees:

Committee.	Room.
Standing Committee and Appropriations.....	Lounge Room
Agricultural .....	G-1
State Affairs .....	G-2
Taxes and Tax Laws .....	G-2
Judiciary .....	G-3
Insurance .....	G-3
Education .....	G-5
Banks and Banking .....	G-5
Highways .....	G-6
Ways and Means .....	G-6
Temperance .....	Hearing Room
Warehouse and Grading .....	Balcony, Right
Cities and Municipalities .....	Balcony, Left

For the House:

H. C. WILLIAMS,  
OSCAR W. HAGEN,  
GEO. H. SAUMUR.

For the Senate:

BEN GILBERTSON,  
F. F. GRONVOLD,  
B. W. LEMKE.

Mr. Williams moved the adoption of the report.

Which motion prevailed.

Mr. Williams moved that the Committee on Committee Rooms be dismissed.

Which motion carried, and the committee was dismissed.

The Speaker referred House Bill No. 1 to the Committee on Appropriations.

The Speaker appointed on the committee to investigate Mr. Godwin's election, the following: Representatives Sand, Fitch and Byrne.

Mr. Wolf moved that the House recess to 1:15 p. m., tomorrow.

Which motion carried and the House recessed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Sena Ingberg, Ray; George Leick, Hebron; Jacob Elmer, Hebron; E. F. Kounovsky, Hillsboro; J. M. Cathcart, Fargo; C. H. Warner, Fargo; Joseph E. Beauchamp, Bismarck; W. G. Caney, Fargo; C. F. Johnson, Bismarck; Dr. David Stowe, Fargo; Rev. Selmer Berge, Fargo; C. J. Carlson, Driscoll; Paul Campbell, Bismarck.

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH DAY AFTER RECESS AND EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 12, 1937.

The House convened at 1:15 p. m., pursuant to recess,  
Speaker Dahl presiding.

## SEVENTH ORDER OF BUSINESS

Mr. Morris moved that the Speaker appoint a committee of three to cooperate with Mr. Jones in the matter of arrangements for the annual President's Ball.

Which motion prevailed.

Mr. Page moved that the Speaker appoint a committee of three to select an official photographer for the House of Representatives.

Which motion prevailed.

Mr. Traynor moved that the rules be suspended and that the House be on the Fifth Order of Business.

Which motion prevailed.

## FIFTH ORDER OF BUSINESS

## REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 12, 1937.

Mr. President: I have the honor to transmit herewith the following:

#### HOUSE JOINT RESOLUTION "C"

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Godwin moved that the rules be suspended and that House Bill No. 1 be placed on the calendar for second reading and final passage.

Which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 1 was read the second time.

Mr. Traynor moved to amend the bill as follows: On page 3, Section 4, line 3, before the word "approval," insert the words "passage and," and strike out line 4.

The motion was carried.

Mr. Traynor moved that the rules be suspended and that House Bill No. 1 be considered properly re-engrossed and placed on final passage.

Which motion carried.

#### ROLL CALL

The question being on the final passage of House Bill No. 1, as amended, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur

Messrs.	Messrs.	Messrs.
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brown	LaBerge	Seibel
Brusseau	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	Magill	Solberg
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jones	Twichell
Burgum	Kraus	

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

Mr. Morland: "I want to explain my vote and have it recorded in the Journal." No objection. "I voted for this bill because I figured it is absolutely necessary to get some money, but I am not satisfied with having it turned over to the Welfare Board to handle it at will. I think we are repudiating the platform of the Nonpartisan League by doing it."

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 12, 1937.

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

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The House reverted to the seventh order of business.

Mr. Niewoehner moved that the absent members be excused.

Which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 11, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

Senate Concurrent Resolution "A."

Which the President of the Senate has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker administered the oath of office to David Foerderer as Page and Messenger.

Mr. Olson of Adams moved that the House adjourn.

Which motion carried and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 12, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Joseph F. Schmidt of Bismarck.

The roll was called, and all members were present except Representatives Adam, Burgum, Jones, Kraus, Sand, and Twichell.

So a quorum was declared present.

REPORT OF STANDING COMMITTEES

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifth day after recess and seventh day, and beg leave to report the following corrections.

On page 1, line 14, after the words "appoint a committee" insert the words "of three members."

On page 3, strike out the last line at the bottom of the page.

On page 8, under State Affairs Committee, correct the spelling of the name "Freitag."

On page 5, third line from the bottom, strike out the words "and referred to the committee on Appropriations."

On page 2, Bieloh is listed as "absent and not voting," whereas he should be recorded as present and voting "aye."

On page 7, under Game and Fish Committee, correct the spelling of "Wolf."

And when so corrected recommend the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

The Clerk read a resolution from Nelson County.

Mr. Olson of Adams moved that the resolution be referred to the proper committee, which motion was carried and the Speaker referred the resolution to the State Affairs Committee.

#### REPORT OF EMPLOYMENT COMMITTEE

Mr. Speaker: Your committee on Employment places in nomination the names of the following, for the respective positions, and recommend their employment with your approval.

Henry Link, Grand Forks, Mailing Clerk.

Anton J. Schmidt, Logan, N. D., Doorkeeper of Gallery.

Andrew Gratton, Cavalier, N. Dak., Committee Clerk and Messenger.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

#### ROLL CALL

The question being on the election of Henry Link, Mailing Clerk; Anton J. Schmidt, Doorkeeper of Gallery, and Andrew Gratton, Committee Clerk and Messenger, the roll was called and there were ayes, 95; nays, 9; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Olson, Sargent
Anderson	Holm	Page
Anfinson	Holmquist	Peterson, Bot'neau
Beasley	Holthusen	Peterson, Renville
Beaton	Hultstrand	Peterson, Richland
Beggs	Huseby	Pewe
Benno	Jensen	Ritter
Biberdorf	Johnson	Sand
Bieloh	Jury	Sandness
Billigmeier	Just	Saumur
Bjornson	Kapaun	Savre
Black	Knudson, Steele	Schauss
Blair	Krank	Schimke
Brown	LaBerge	Semerad
Brusseau	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Magill	Shurr, Bottineau
Dalzell	McInnes	Sticka
Day	McIntee	Symington
Dittmer	Morland	Thompson
Dullea	Morris	Thoreson
Fitch	Myers	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tweten
Gilberg	Norheim	Urschel
Godwin	Obach	Wendland
Goodlaxon	O'Brien	White
Graham	Odegard	Wick
Greiser	Olson, Adams	Wolf
Hagen	Olson, Bowman	Mr. Speaker
Haines	Olson, McLean	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Oglesby	Stray
Ireland	Rait	Tuff
Livingston	Solberg	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jones	Langford
Burgum	Knutson, LaMoure	Seibel
Gessner	Kraus	Twichell

So the motion was carried, and the nominees were duly elected.

The Speaker administered the oath of office to Henry Link, Mailing Clerk; Anton J. Schmidt, Doorkeeper of Gallery, and Andrew Gratton, Committee Clerk and Messenger.

The Speaker signed Senate Concurrent Resolution "A."

#### FIRST READING OF HOUSE BILLS

Mr. Knutson of LaMoure introduced:



House Bill No. 2. A Bill for an Act Providing for the Prevention of Nepotism and Prohibiting the Appointment by the Head of any Executive or Administrative Department of the State or by any County Officer, 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 or Officer, Declaring Such Appointment a Misdemeanor and Providing Penalties Therefor; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency to Exist.

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

The Committee on Appropriations introduced:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

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

The Committee on Appropriations introduced:

House Bill No. 4. 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:

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

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

The Committee on Appropriations introduced:

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Mr. R. W. Frazier introduced:

House Bill No. 7. A Bill for an Act Permitting Mortgage Indebtedness on Real Estate to Be Exempted from Taxation.

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

Messrs. Traynor and Blair introduced:

House Bill No. 8. A Bill for an Act to Amend and Re-enact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913 as Amended by Section 2 of Chapter 170 of the Session Laws of North Dakota for 1931 and as Further Amended by Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to Hail Insurance, Providing for Collection of Hail Indemnity Insurance and Status of the Hail Tax.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 12, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

Senate Concurrent Resolution "B."

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Clerk read Senate Concurrent Resolution "B," introduced by Messrs. Gilbertson and Strehlow.

Mr. Godwin moved that Senate Concurrent Resolution "B" be adopted.

Which motion was carried.

The Speaker appointed on the committee to cooperate with Mr. Jones on the matter of the annual President's Birthday Ball the following: Messrs. Byrne, Gessner and Symington.

The Speaker appointed on the committee to select an official photographer for the House of Representatives the following: Messrs. Page, Frazier and Levin.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 12, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

Senate Concurrent Resolution "B."

Which the House has passed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 12, 1937.

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

## SENATE CONCURRENT RESOLUTION "A"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The House returned to the seventh order of business.

Mr. Wendland moved that the absent members be excused.

Which motion was carried.

Mr. Godwin moved that the House adjourn, which motion was carried and the House adjourned.

The courtesy of the floor was extended to the following:

N. B. Livingston, Jr., Minot; J. R. Omland, Park River; Stanley Daniels, Grafton; W. J. Filares, Minot; Mr. and Mrs. Gottlieb Froschler, Hazen; Peter Zappas, Jamestown; Archie Chisholm, Bert Smutz, Devils Lake; Melvin Erickson, Williston; Val Hoffart, Val Migler, Peter Velsch, Peter Black, Gabriel Hager, Balta; Leon Ellithorpe, Minot; Rev. Skilbred, Wyndmere, Mrs. A. W. Benno, Minot; Elmer A. Nelson, Osnabrock, N. D., Mrs. Harvey Breauseau, Walhalla; Mrs. Elmer A. Nelson, Osnabrock; Mrs. C. J. Myers, Mrs. James Austin and Mrs. J. H. Miller, Bismarck.

MINNIE D. CRAIG,  
Chief Clerk.

NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 13, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl Presiding.

Prayer by Rev. T. J. Tracy of Bismarck.

The roll was called, and all members were present except Representatives Blair, Jones and Langford.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

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

Mr. Speaker: 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 approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF COMMITTEE ON MILEAGE AND PER DIEM

Mr. Speaker: Your Committee on Mileage and Per Diem beg leave to submit the following amended report on mileage of the members of the House and recommend that the mileage indicated therein be allowed each member; that this report be printed in the Journal, and that the same be immediately certified to the State Auditor by the Chief Clerk of the House.

ELLIOTT T. KNUTSON,  
of LaMoore, Chairman.  
CARL H. DITTMER,  
ALEX DALZELL.

District	NAMES AND ADDRESSES	Car	Rail	Total
1.	Alex Dalzell, Walhalla .....	56	708	764
	Franklin Page, Hamilton .....	708		708
2.	Earl D. Symington, Neche .....	44	708	752
	Chas. H. Black, Foxholm .....	44	380	424
3.	Palmer Levin, Park River .....	14	674	688
	Harry O'Brien, Park River .....		674	674
4.	O. R. LaBerge, Grafton .....		632	632
	O. R. LaBerge, Grafton .....		620	620
5.	Wm. H. Wick, Larimore .....		620	620
	George H. Saumur, Grand Forks .....	20	544	564
6.	Targie Trydahl, Thompson .....		518	518
	L. C. Odegard, Buxton .....	12	494	506
7.	Henry Leum, Mayville .....		500	500
	H. W. McInnes, Kelso .....	4	456	460
8.	K. A. Fitch, Fargo .....	2	388	390
	Arthur C. Johnson, Fargo .....	2	388	390
9.	Edward Kraus, Fargo .....	2	388	390
	W. H. Shure, Fargo .....	2	388	390
10.	L. L. Twichell, Fargo .....	2	388	390
	Frank H. Beaton, Fargo, R. Rt. ....	14	388	402
11.	Otis Nelson, Mapleton .....	12	376	388
	Carl H. Dittmer, Leonard .....	12	444	456
12.	A. J. Kapaun, Alice .....	14	468	482
	J. D. Holthusen, Tyler .....	12	496	508
13.	Dan R. Jones, Wahpeton .....	40	460	500
	A. Z. Nelson, Cayuga .....	36	358	394
14.	Ray E. Olson, Forman .....		358	358
	John Magill, Verona .....	372		372
15.	H. G. Severson, Fort Ransom .....	368		368
	Sam Oglesby, Wimbledon .....	280		280
16.	Harvey B. Knudson, Finley .....		558	558
	J. H. Langford, Cooperstown .....	8	346	354
17.	Edw. Savre, Cooperstown .....	16	338	354
	N. O. Huseby, Michigan .....	470		470
18.	P. K. Holm, Pekin .....	8	622	630
	Harvey Brusseau, Olga .....	20	724	744
19.	Frank Beasley, Fairdale .....	32	754	786
	Mandus Hultstrand, Milton .....		762	762
20.	Carl Anfinson, Milo .....	24	634	658
	Jacob Urschel, St. John .....	635		635
21.	C. H. Hofstrand, Churchs Ferry .....	420		420
	Gust Tweten, Oberon .....		362	362
22.	Edwin Traynor, Starkweather .....	48	482	530
	Elmer Gessner, Penn .....		456	456
23.	Clarence Gilbert, Devils Lake .....		482	482
	D. S. Blair, Maza .....		764	764
24.	O. O. Norheim, Rock Lake .....	244	405	649
	L. R. Burgum, Jamestown .....		204	204
25.	Ed. Dullea, Pingree .....	48	206	254
	Emil Frey, Jamestown .....	4	204	208
26.	Harry J. Morris, Jamestown .....		204	204
	Elliott Knutson, LaMoure .....	342		342
27.	John C. Sandness, Lamoure .....		342	342
	H. E. Jury, Fullerton .....	13	280	293
28.	G. Wendland, Kulm .....	24	220	244

District	NAMES AND ADDRESSES	Car	Rail	Total
26.	Math Dahl, Hazelton .....	110		110
	Val P. Wolf, Hague .....	196		196
27.	Joseph D. Byrne, Bismarck .....			
	Richard Day, Moffit .....	70		70
	J. M. Thompson, Wilton .....		68	68
28.	Peter Peterson, Antler .....	20	594	614
	Fred J. Shurr, Lansford .....	14	500	514
	Thos. A. White, Kramer .....	22	556	578
29.	A. W. Benno, Minot .....	18	380	398
	Ole G. Frosaker, Minot .....		380	380
	M. D. Graham, Burlington .....	34	380	414
	E. K. Livingston, Minot .....	20	380	400
30.	W. J. Godwin, Mandan .....	14		14
	Herman Just, Jr. New Salem .....	70		70
	Gus. A. Schauss, Mandan .....	32		32
31.	Philip Krank, Dickinson .....	230		230
	Mike Obach, Zenith .....	250		250
	I. Sticka, New England .....	36	230	266
32.	Carl H. Pewe, McHenry .....	96	204	300
	W. W. Treffry, New Rockford .....		6323	329
33.	Leonas Myers, Boden .....	18	346	364
	Calvin Schimke, Harvey .....		6490	496
34.	W. O. Biberdorf, Gardena .....		639	639
	L. E. Goodlaxon, Drake .....		280	280
	H. F. Niewoehner, Upham .....	22	602	624
35.	John J. Adams, Anamoose .....	16	280	296
	Ole Akland, Denhoff .....	300		300
36.	John Billigmeier, Fredonia .....	24	208	232
	Robert Greiser, Wishek .....		159	159
	C. P. Ritter, Burnstad .....	20	139	159
37.	Axel Pederson, Walcott .....	8	424	432
	H. C. Williams, Lidgerwood .....	20	405	425
38.	James G. Thoreson, Fingal .....	30	272	302
39.	H. W. Brown, Beach .....	20	370	390
	L. K. Morland, Scranton .....	106	230	336
	C. T. Olson, Bowman .....	172	220	392
40.	R. W. Frazier, Crosby .....	40	602	642
	Ed. McIntee, Northgate .....		506	506
	Robert Rait, Kermit .....	16	576	592
41.	Bernt Anderson, Carlson .....	25	646	671
	Oscar W. Hagen, Watford City .....	646		646
42.	Paul A. Sand, Balta .....		328	328
	Wm. H. Tuff, Barton .....	24	502	526
43.	C. M. Peterson, Tolley .....	20	509	529
44.	Frank J. Haines, Stanley .....		488	488
	Ole B. Stray, Stanley .....	493		493
45.	George Bjornson, Ray .....	534		534
	William Ireland, Corinth .....	570		570
	Iver Solberg, Ray .....	539		539
46.	Arlo Beggs, Turtle Lake .....	178		178
	H. R. Freitag, Max .....		186	186
	Nellie Olson, Wilton .....		50	50
47.	James Caddell, Selfridge .....		362	362
	Fred Seibel, Elgin .....	20	218	238

District	NAMES AND ADDRESSES	Car	Rail	Total
48.	C. W. Beiloh, Hazen .....	140		140
	Nels P. Jensen, Hazen .....	120		120
	Harry Semerad, New Hradec .....	266		266
49.	Wm. Holmquist, Reeder .....		772	772
	O. C. Olson, Hettinger .....	14	724	738

Mr. Godwin moved the adoption of the report:

### ROLL CALL

The question being on the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Akland	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beasley	Ireland	Ritter
Beggs	Jensen	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Bieloh	Knudson, Steele	Schauss
Billigmeier	Knutson, LaMoure	Schimke
Bjornson	Krank	Seibel
Black	LaBerge	Semerad
Blair	Leum	Severson
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Burgum	Magill	Solberg
Byrne	McInnes	Sticka
Caddell	McIntee	Stray
Dalzell	Morland	Symington
Day	Morris	Thompson
Dittmer	Myers	Thoreson
Dullea	Nelson, Cass	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Niewoehner	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Gilberg	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Graham	Olson, Adams	Wendland
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Johnson	Langford

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Fitch	Jones	O'Brien
Frey	Kapaun	Sand
Godwin	Kraus	

So the report was adopted.

Mr. Page reported that the committee appointed to arrange for an official photographer for the House of Representatives had investigated the matter, and that the Butler Studios would take the pictures of the members, and furnish the picture for the records, for the sum of one hundred dollars.

Mr. Godwin moved that the committee be instructed to enter into a contract with the Butler Studios to furnish a group picture of the House of Representatives for the sum of one hundred dollars.

ROLL CALL

The question being on the motion of Mr. Godwin, the roll was called and there were ayes, 103; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jury	Rait
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tweten
Gessner	Norheim	Twichell
Gilberg	Obach	Urschel
Godwin	O'Brien	Wendland
Goodlaxon	Odegard	White
Graham	Oglesby	Wick



Messrs.	Messrs.	Messrs.
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Tuff
Ireland	Semerad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Langford	Sand
Jones	Ritter	

So the motion prevailed.

#### REPORT OF EMPLOYMENT COMMITTEE

The Committee on Employment made the following report:

Mr. Speaker: Your Committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

V. L. Gilbreath, Chief Enrolling and Engrossing Clerk, Mott, N. D.

Jacob Meier, Assistant Doorkeeper and Sergeant-at-Arms, Goodrich, N. D.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report:

#### ROLL CALL

The question being on the election of V. L. Gilbreath, Chief Enrolling and Engrossing Clerk, and Jacob Meier, Assistant Doorkeeper and Sergeant-at-Arms, the roll was called and there were ayes, 93; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Adams
Akland	Haines	Olson, Bowman
Anderson	Hofstrand	Olson, McLean
Anfinson	Holm	Olson, Sargent
Beasley	Holmquist	Page
Beaton	Holthusen	Peterson, Bot'neau
Beggs	Hulstrand	Peterson, Renville
Benno	Huseby	Peterson, Richland
Biberdorf	Jensen	Pewe
Bieloh	Johnson	Ritter
Billigmeier	Jury	Sandness

Messrs.	Messrs.	Messrs.
Bjornson	Just	Saumur
Black	Knudson, Steele	Savre
Brown	Knutson, LaMoure	Schauss
Brusseau	Krank	Schimke
Burgum	Kraus	Shure, Cass
Byrne	LaBerge	Shurr, Bottineau
Caddell	Leum	Sticka
Dalzell	Levin	Symington
Day	Magill	Thompson
Dullea	McInnes	Thoreson
Fitch	McIntee	Traynor
Freitag	Morland	Treffry
Frey	Morris	Trydahl
Frosaker	Myers	Tweten
Gessner	Nelson, Cass	Twichell
Gilberg	Nelson, Sargent	Urschel
Godwin	Niewoehner	White
Goodlaxon	Obach	Wick
Graham	O'Brien	Wolf
Greiser	Odegard	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dittmer	Rait	Solberg
Frazier	Sand	Stray
Ireland	Seibel	Tuff
Livingston	Semerad	Wendland
Norheim	Severson	Williams
Oglesby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Kapaun	Langford
Jones		

So the report was adopted and the nominees were declared duly elected.

The Speaker administered the oath of office to V. L. Gilbreath, Chief Enrolling and Engrossing clerk, and Jacob Meier, Assistant Doorkeeper and Sergeant-at-Arms.

#### FIRST READING OF HOUSE BILLS

Mr. Freitag introduced:

House Bill No. 9. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 254 of the Session Laws of the State of North Dakota for 1933, Being an Act Providing for Old Age Pension.

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

The Committee on Appropriations introduced:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various

Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

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

The Committee on Appropriations introduced:

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

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

The Committee on Appropriations introduced:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

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

Mr. Traynor introduced:

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 13, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### SENATE CONCURRENT RESOLUTION "B"

Which the President of the Senate has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 13, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

HOUSE JOINT RESOLUTION "C"

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

EIGHTH ORDER OF BUSINESS

The Speaker signed Senate Concurrent Resolution "B."

The House reverted to the seventh order of business.

Mr. Schauss moved that the Speaker appoint a committee of three to confer with a like committee from the Senate to investigate the cost of printing the Journals and Bills for the Senate and the House, which motion prevailed, and the Speaker appointed the following committee: Representatives Greiser, Schauss and Peterson of Renville.

Mr. Godwin moved that the absent members be excused.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 13, 1937.

Mr. President: I have the honor to inform you that the Speaker has appointed Representatives Greiser, Schauss and Peterson of Renville to serve with a like committee of the Senate to investigate the cost of printing the Journals and Bills for the Senate and House.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 13, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "B"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## TWELFTH ORDER OF BUSINESS

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 13, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Which the Senate has amended as follows:

In the title of the engrossed bill after the first word "appropriation," add the following: "out of monies in the Retail Sales Tax Fund created by Chapter 276, Laws of 1935."

Strike out all the "whereas clauses" in the engrossed bill.

In Section 1 of the engrossed bill at line two strike out the figures \$1,500,000 and insert in lieu thereof the figures \$400,000.

In Section 1 of the engrossed bill at line two after the word "Treasury" strike out the language "not otherwise appropriated" and insert in lieu thereof the language "in the Retail Sales Tax Fund created by Chapter 276, Laws of 1935."

In Section 1 of the engrossed bill at line five after the word "persons" insert the following "for the months of January and February."

In Section 3 of the engrossed bill in line four strike out the word "six" and insert the word "two" and in the same line strike out the words "June 30th" and insert in lieu thereof the words "February 28th."

Strike out all of Section 4 and insert in lieu thereof the following: "This Act is hereby declared an emergency measure and shall be in full force and effect from and after its passage and approval."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Traynor moved that the House refuse to concur with the Senate's amendments to House Bill No. 1, and that a conference committee be appointed to confer with a like committee from the Senate, which motion prevailed, and the Speaker appointed the following: Representatives Godwin, Traynor and Burgum.

Mr. Godwin moved that the House recess to 1:00 p. m., to-

morrow, which motion was carried and the House was recessed.

The courtesy of the floor was extended to the following:

Mrs. F. M. Warner, Jamestown; John H. Snider, Lefor; John Hollinger, Lefor; A. M. Fruh, Minot; F. L. Watkins, Fargo; M. M. Melhause, Williston; A. G. Jacobson, Cartwright; Frayne Baker, Bismarck; Robert Gaffany, Fargo; Pat Barret, Sanish; George Eickele, McClusky; M. M. Millhouse, Williston; P. M. Weisbeck, Hague, N. D.; John Bernhardt, Mandan; Albert Van Berkom, Holland Van Berkom, Powers Lake; Walter Keibernick, Koenigsberg.

MINNIE D. CRAIG,  
Chief Clerk.

## NINTH DAY AFTER RECESS AND TENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 14, 1937.

The House convened at 1:00 p. m., pursuant to recess, Speaker Dahl presiding.

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the Speaker appoint a committee of three to confer with federal authorities in Bismarck with reference to relief for the Indians.

The motion carried, and on the committee the Speaker appointed Representatives Freitag, Caddell and Morris.

## TENTH ORDER OF BUSINESS

## FIRST READING OF HOUSE BILLS

Introduced by Messrs. Peterson of Renville, Bjornson, Morland and Ritter:

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

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

Introduced by Messrs. Peterson of Renville, Morland, Bjornson and Ritter:

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School

Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

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

Introduced by Messrs. Peterson of Renville, Morland, Bjornson and Ritter:

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

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

Introduced by Messrs. Peterson of Renville, Bjornson, Morland and Ritter:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

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

Introduced by Messrs. Peterson of Renville, Morland, Bjornson and Ritter:

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

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

Introduced by Messrs. Peterson of Renville, Morland, Bjornson and Ritter.

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota,



and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

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

Introduced by Mr. Rait:

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

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

Introduced by Mr. Billigmeier of McIntosh:

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Mr. Godwin moved that the House recess to the call of the Chair, which motion was carried and the House was recessed.

The House convened at 1:45, pursuant to recess, at the call of the Chair, Speaker Dahl presiding.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 14, 1937.

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, Representatives: Godwin, Traynor and Burgum.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 14, 1937.

Mr. Speaker: I have the honor to inform you that the President of the Senate has appointed Senators Watt, Lemke and Drew as a conference committee, to meet with the House conference committee on House Bill No. 1.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Traynor moved that the House adjourn, which motion carried and the House adjourned.

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### TENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 14, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. O. O. Andvik of Mandan.

The roll was called, and all members were present except Representatives Anderson, Blair, Frey, Godwin, Holthusen, Jones, Langford, O'Brien, Page, Sand, Thompson and Traynor.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

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

On page 2, line 3, change the name "Axel" to "Alex."

On page 3, line 12, strike out the figures "37," and insert in lieu thereof the figures "28."

On page 3, line 12, strike out "Alex Peterson, Walcott, 432," and insert in lieu thereof "Peter Peterson, Antler, 814."

On page 4, line 26, change the spelling of "Knudson" to "Knutson."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A petition from the Volunteer Fire Department of Steele, North Dakota. Referred to Committee on Insurance.

A petition from the taxpayers of McKenzie County, signed by E. R. Estes of Cartwright, and others. Referred to Committee on Drainage and Irrigation.

A resolution from the Board of County Commissioners of Towner county. Referred to Committee on Insurance.

A petition from the Grand Forks Council of the United

Commercial Travelers. Referred to Committee on Ways and Means.

A resolution signed by Elwood Eck and forty-three others. Referred to Committee on State Affairs.

#### REPORT OF STANDING COMMITTEES

The Committee on Rules made the following report:

Mr. Speaker: Your Committee on Rules to whom was referred the matter of rules for the Twenty-fifth Legislative Assembly beg leave to report that we recommend that the House adopt House rules of the Twenty-fourth Legislative Assembly with the correction that in Rule 43, page 17, the word "third" be stricken out and the word "second" be placed in lieu thereof; that the House committee be the same as in the Twenty-fourth Session, with same number of members.

The Delayed Bills Committee have selected Arlo E. Beggs as their chairman.

And when so amended recommend their adoption.

MANDUS HULTSTRAND,

Chairman.

Mr. Hultstrand moved that the report be adopted, which motion prevailed and the report was adopted.

House Resolution "A" was read.

Mr. Knudson moved that the Resolution be adopted.

Which motion was carried.

#### HOUSE RESOLUTION "A"

Introduced by Representatives Savre of Griggs County and Knudson of Steele

WHEREAS, Representative J. H. Langford, the duly elected member of the House of Representatives from Griggs County, is now ill and unable to attend the sessions of this House,

NOW THEREFORE, BE IT RESOLVED, by the members of the House of Representatives of this Legislative Assembly, that we express to Representative Langford our sincere wish and desire for a speedy recovery.

BE IT FURTHER RESOLVED, that this Resolution be printed in the Journal of the House, and that a copy hereof be sent to Mr. Langford.

EDWARD SAVRE,  
Rep., 16th District

HARVEY B. KNUDSON,  
Rep., 16th District.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 14, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "C"

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

THOMAS McDONALD,  
Secretary.

The House recessed subject to the call of the Chair.

The House convened at 2:35 P. M., pursuant to recess, at the call of the Chair, Speaker Dahl presiding.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 14, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "B"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign Senate Concurrent Resolution "B," and the Speaker signed the same in the presence of the House.

TWELFTH ORDER OF BUSINESS

Senate Concurrent Resolution "C" was read.

Mr. Shurr of Bottineau moved Senate Concurrent Resolution "C" be adopted, which motion prevailed.

Mr. Twichell moved that the House recess to 1:30 p. m., tomorrow, which motion carried and the House recessed.

The courtesy of the floor was extended to the following:

R. E. Strutz, Jamestown; P. T. Kretschmar, Venturia; Ray Baird, Stanley Frank, Joe Kofler, Dickinson; Elko Palomick, Belfield; Francis Harrington, Beach; J. W. Newberry, Jamestown; L. P. Murphy, Jamestown; Carl F. Lilja, Forman; Janet Daffenrad, Mrs. A. W. Gussner, Bismarck; A. R. Wije, Fargo; W. Ray Piechert, Bowman; Jacob Joraanstad, Noonan; Lyle Gray, Bismarck; John Wishek, Wishek; Lorne Gibson, Neche, John R. Omland.

MINNIE D. CRAIG,  
Chief Clerk.

## TENTH DAY AFTER RECESS AND ELEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 15, 1937.

The House convened at 1:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

SIXTH ORDER OF BUSINESS  
REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 1 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Have had the same under consideration and recommend:

That the House accept the Senate amendments with the exception that where the figures "\$400,000" appear therein that they shall be changed to "\$500,000," and it is further recommended that the bill be further amended as follows:

At the end of the title as amended, strike out the "period" and add the following: "and repealing all acts and parts of acts in conflict herewith."

After Section 3 of the original bill insert: "Section 4. REPEAL. All acts or parts of acts in conflict herewith are hereby repealed."

Change Section 4 in the original bill to "Section 5."

For the House:

W. J. GODWIN  
EDWIN TRAYNOR  
L. R. BURGUM.

For the Senate:

WM. WATT  
G. F. DREW  
B. W. LEMKE.

Mr. Godwin moved that the report be adopted.

Mr. Wolf made a substitute motion that the report of the Conference Committee be not adopted, and that a new Conference Committee be appointed to confer with a like committee from the Senate.

The question being on the substitute motion of Mr. Wolf, a division was called for. There being 42 ayes and 55 nays, the motion was declared lost.

The question now being on Mr. Godwin's motion that the report of the Conference Committee be adopted, the motion carried and the report was adopted.

Mr. Traynor moved that the rules be suspended, and that House Bill No. 1 be considered properly re-enrolled and re-engrossed and placed on second reading and final passage.

Which motion was carried.

### SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, 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, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Jensen	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Bieloh	Knudson, Steele	Schauss
Billigmeier	Knutson, LaMoure	Schimke
Bjornson	Krank	Seibel
Black	LaBerge	Semerad
Blair	Leum	Severson
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Burgum	Magill	Solberg
Byrne	McInnes	Sticka
Caddell	McIntee	Stray
Dalzell	Morland	Symington

Messrs.	Messrs.	Messrs.
Day	Morris	Thompson
Dittmer	Myers	Traynor
Dullea	Nelson, Cass	Treffry
Frazier	Nelson, Sargent	Trydahl
Freitag	Niewoehner	Tuff
Frosaker	Norheim	Tweten
Gessner	Obach	Twichell
Gilberg	Odegard	Urschel
Godwin	Oglesby	Wendland
Goodlaxon	Olson, Adams	White
Graham	Olson, Bowman	Wick
Greiser	Olson, McLean	Williams
Hagen	Olson, Sargent	Wolf
Haines	Page	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.  
Thoreson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fitch	Jones	Langford
Frey	Kapaun	O'Brien
Johnson	Kraus	Sand

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

Mr. Hagen: "I want to explain my vote."

No objection.

Mr. Hagen: "I voted 'aye' for this bill, because it is the best we can get, and not because I believe it is right."

Mr. Thoreson: "I want to explain my vote. I vote 'no' because I feel that the sum allowed by the Conference Committee is inadequate to take care of the situation now existing among the needy of our state, and believe that a new Conference Committee would have remedied the situation."

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused.

Which motion was carried.

Mr. Godwin moved that the House adjourn, which motion carried, and the House adjourned.

#### ELEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 15, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. O. O. Andvik of Mandan.

The roll was called, and all members were present except Representatives Fitch, Frey, Johnson, Jones, Kapaun, Kraus, Langford, O'Brien and Sand.

So a quorum was declared present.

#### SEVENTH ORDER OF BUSINESS

Mr. Frazier: "I move at this time a committee of three be appointed from the House to confer with a like committee from the Senate to call upon the Governor, who is soon to go to Washington, to urge upon him the necessity of calling the attention of our President to pledges which he made prior to the election; that the people of North Dakota should not suffer for necessities of life and for feed for their live-stock; that the House of Representatives and Senate of North Dakota in their dire need of funds, have had to take from the sales tax funds the sum of \$500,000 to meet this pressing need—funds which are sorely needed to keep our schools in session in North Dakota."

The motion prevailed, and the Speaker appointed to such committee the following: Representatives Frazier, Saumur and Hagen.

#### FOURTH ORDER OF BUSINESS

Mr. Ireland presented a communication with the request that it be read. There being no objections, the Clerk read the communication and it was referred to the committee appointed to call on the governor in regard to relief.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 15, 1937.

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.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 15, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 1.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



## JOURNAL OF THE HOUSE

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 15, 1937.

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

## SENATE CONCURRENT RESOLUTION "B"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 15, 1937.

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

## SENATE CONCURRENT RESOLUTION "C"

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## THIRD ORDER OF BUSINESS

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 9th day after recess and 10th day and recommend that the same be corrected as follows:

On page 4, Shure of Cass is shown as absent, whereas he should be recorded as being present.

Correct First Reading of House Bills to show who introduced them in each case:

House Bill No. 14—Introduced by Peterson of Renville, Bjornson, Ritter and Morland.

House Bill No. 15—Introduced by Peterson of Renville, Bjornson, Ritter and Morland.

House Bill No. 16—Introduced by Peterson of Renville, Bjornson, Ritter and Morland.

House Bill No. 17—Introduced by Peterson of Renville, Bjornson, Ritter and Morland.

House Bill No. 18—Introduced by Peterson of Renville, Bjornson, Ritter Morland.

House Bill No. 19—Introduced by Peterson of Renville, Bjornson, Ritter and Morland.

House Bill No. 20—Introduced by Rait.

House Bill No. 21—Introduced by Billigmeier.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Olson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

#### FOURTH ORDER OF BUSINESS

Resolution from Farmers Union of Flasher. Referred to the Committee on Military Affairs.

Resolution from Farmers Union of Flasher. Referred to the Committee on Taxes and Tax Laws.

Resolution from Farmers Union of Flasher. Referred to the Committee on Education.

Resolution from Farmers Union of Flasher. Referred to the Committee on Education.

Similar resolutions from the Farmers Union of Ransom county were referred to the same committees.

#### FIFTH ORDER OF BUSINESS

##### REPORT OF COMMITTEE ON JOINT RULES

The Joint Committees of the Senate and House on joint rules, made the following report:

Mr. President and Mr. Speaker: Your Joint Committee on joint rules of the House and Senate have had under consideration the adoption of joint rules for the House and Senate for this, the 25th Legislative Assembly, and do hereby recommend that the joint rules of the 24th Legislative Assembly of the State of North Dakota be adopted as the joint rules of the House and Senate for the 25th Legislative Assembly.

Dated, January 15, 1937.

For the House:  
PALMER LEVIN,  
RICHARD DAY,  
A. W. BENNO,  
WM. H. TUFF,  
EDW. SAVRE.

For the Senate:  
A. W. FOWLER,  
GEORGE V. COFFEY,  
W. N. NELSON,  
WILLIAM KROEBER.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Schauss moved that a thousand copies of the joint rule books be printed.

### ROLL CALL

The question being on the motion of Mr. Schauss, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Jensen	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Bieloh	Knudson, Steele	Schauss
Billigmeier	Knutson, LaMoure	Schimke
Bjornson	Krank	Seibel
Black	LaBerge	Semerad
Blair	Leum	Severson
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Burgum	Magill	Solberg
Byrne	McInnes	Sticka
Caddell	McIntee	Stray
Dalzell	Morland	Symington
Day	Morris	Thoreson
Dullea	Myers	Traynor
Frazier	Nelson, Cass	Treffry
Freitag	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	Wendland
Graham	Olson, Adams	White
Greiser	Olson, Bowman	Wick
Hagen	Olson, McLean	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Jones	O'Brien
Fitch	Kapaun	Sand
Frey	Kraus	Thompson
Johnson	Langford	

So the motion prevailed.

## REPORT OF COMMITTEE ON EMPLOYMENT

Your Committee on Employment places in nomination the names of the following, for the respective positions, and recommend their employment with your approval:

Amil Broten, Clerk on Taxes and Tax Laws, Rugby, N. D.

J. J. Fischer, Clerk of State Affairs Committee, Livona, N. D.

I. M. Hanson, Doorkeeper, Petersburg, N. D.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

## ROLL CALL

The question being on the election of Amil Broten, Clerk of Committee of Taxes and Tax Laws; J. J. Fischer, Clerk of State Affairs Committee, and I. M. Hanson, Doorkeeper, the roll was called and there were ayes, 84; nays, 17; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Akland	Holm	Peterson, Renville
Anderson	Holmquist-	Peterson, Richland
Anfinson	Holthusen	Pewe
Beasley	Hultstrand	Ritter
Beaton	Huseby	Sandness
Beggs	Ireland	Saumur
Benno	Jensen	Savre
Biberdorf	Just	Schauss
Bieloh	Knudson, Steele	Severson
Billigmeier	Krank	Shure, Cass
Bjornson	LaBerge	Shurr, Bottineau
Black	Leum	Solberg
Brown	Levin	Sticka
Burgum	Livingston	Symington
Byrne	Magill	Thompson
Dalzell	McInnes	Thoreson
Day	McIntee	Traynor
Dullea	Morland	Treffry
Freitag	Morris	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Obach	Tweten
Gilberg	Odegard	Twichell
Godwin	Olson, Adams	Urschel
Goodlaxon	Olson, Bowman	White
Graham	Olson, McLean	Wick
Greiser	Olson, Sargent	Wolf
Hagen	Page	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Myers	Seibel
Caddell	Nelson, Cass	Semerad
Dittmer	Norheim	Stray
Frazier	Oglesby	Wendland
Jury	Rait	Williams
Knutson, LaMoure	Schimke	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Nelson, Sargent
Fitch	Kapaun	O'Brien
Frey	Kraus	Sand
Johnson	Langford	

So the report was adopted, and the nominees were duly elected.

The Speaker administered the oath of office to Amil Broten, Clerk of Committee on Taxes and Tax Laws; J. J. Fischer, Clerk of State Affairs Committee, and I. M. Hanson, Doorkeeper.

#### SIXTH ORDER OF BUSINESS

We, your Select Committee appointed by the Speaker to confer with Federal Officers in Bismarck with reference to relief for the Indians in Sioux County, beg leave to report, as follows:

First, we held a conference with the delegation or committee sent up from Sioux Tribe consisting of:

Edward Afraid-of-Hawk.  
 Francis Long-Chase.  
 Ernest Chapman.  
 Mrs. Mary Many-Wounds, and  
 Mrs. Mary Long-Chase.

In this conference, it was pretty clearly brought out that the relief troubles among the Indians were about the same as all relief clients are experiencing through the change in allocations and methods of handling in the various set-ups.

We interviewed the Executive Secretary of the State Welfare Board, who explained that the change from WPA, etc., to RRA, which occurred during December with the holiday season intervening, had considerably slowed up all grants. This now, however, he assured us, was rapidly being overcome and would soon be running about as usual through RRA Grants and Loans.

We also interviewed the State Director for RRA, Mr. H. R. Wood, who advised us as follows:

1st, Five Thousand Dollars (\$5,000.00) Federal money has been placed in hands of Sioux County Commissioners, January 14th, to be disbursed for feed for Indians' livestock.

2nd, That RRA Grant checks, which had been held up, are now clearing at the rate of about 600 checks a day for North Dakota of which the Indians would be getting their share.

Your committee believes, from what it can find out at this time, that there might have been some apparent neglect and cause of complaint during the changing from one method to another, in handling these cases, but feels from what it is able to find out at this time that this will soon be overcome and that there is nothing further that can be done until the new set-ups start functioning fully.

Your committee moves the adoption of this report, and begs to be discharged.

H. R. FREITAG,  
Chairman.

Mr. Wolf moved that the report be adopted and the committee discharged.

Which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "D"

Was read and referred to the Committee on Military Affairs.

#### HOUSE CONCURRENT RESOLUTION "E"

Was read and referred to the Committee on Federal Relations.

#### FIRST READING OF HOUSE BILLS

Mr. Tweten and Hofstrand introduced:

House Bill No. 22. A Bill for an Act to Amend and Re-enact Section 18 of Chapter 101 of the Session Laws of 1927, Pertaining to Barbers and the Barber Board.

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

Mr. Krank, Sticka, Obach, Semerad and Niewoehner introduced:

House Bill No. 23. A Bill for an Act to Cancel all Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1935, and all Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes are Paid During the Years 1937 and 1938; and Repealing all Acts in Conflict Herewith.

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

#### SEVENTH ORDER OF BUSINESS

Mr. Burgum: "I move that the committee which was appointed today to call upon the governor be instructed to

ask the governor to convey the greetings of this body to the President, and an expression of its appreciation for the co-operation of the federal government during the administration of the President towards the people of the commonwealth."

Which motion prevailed.

Mr. Page moved that the absent members be excused.

Which motion prevailed.

#### SIXTEENTH ORDER OF BUSINESS

Speaker Dahl made the following request:

In order to avoid confusion and error as much as possible, the Chair wishes to suggest that there be no interlineations or amendments made on the typewritten, original bills, or engrossed bills, by Chairman or Clerks of Committees; that all amendments should be typed in triplicate on forms provided for that purpose, and that all amendments refer to the original typewritten or engrossed bill, and not to the printed bill.

Mr. Godwin moved that the House do now adjourn, which motion carried, and the House adjourned.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

J. A. Heder, L. J. Wehe, Bismarck; J. P. Mechalenke, Kief; Martin Larsen, Devils Lake; O. V. Kolb, Minot, Andrew McKay, Fargo; Mrs. Harry B. Knudson, Finley; Rev. P. Pretrek, A. H. Ihme, Adam Schnabel, Napoleon; C. J. Meyers, Bismarck; Geo. Shoenberger, Casselton; Robert Chesrawn, Linton; Mrs. Fred Bentz, Jr., Mrs. Calvin Schimke, Harvey; Mrs. W. A. Jacobson, Watford City; Fred Bentz, Harvey, and Joseph Allmaras, New Rockford.

MINNIE D. CRAIG,  
Chief Clerk.

## TWELFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 16, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. O. O. Andvik of Mandan.

The roll was called, and all members were present except Representatives Adam, Benno, Black, Brown, Caddell, Day, Dittmer, Fitch, Freitag, Frey, Frosaker, Graham, Johnson, Jones, Kapaun, Krank, Kraus, LaBerge, Langford, Nelson of Cass, O'Brien, Schimke, Seibel, Thompson and Treffry.

So a quorum was declared present.

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

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

On page 12, Mr. Beaton was listed as "absent," whereas he was "present" and voted "aye."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

Representative Sand presented four petitions submitted by the County Commissioners of Pierce and Renville Counties, which petitions were referred to the following committees: Taxes and Tax Laws, State Affairs, and Insurance.

Communication from Roseglen Farmers Union and Farm Holiday Association read and referred to Committee on Education.



## REPORT OF EMPLOYMENT COMMITTEE

Mr. Speaker: Your Committee on Employment places in nomination the name of the following, for the respective position and recommend his employment with your approval:

S. T. Kvamen, Clerk on Appropriations Committee, of Minot, North Dakota.

EDWARD SAVRE,  
Chairman.

Mr. Savre moves the adoption of the report.

## ROLL CALL

The question being on the election of S. T. Kvamen as Clerk of the Appropriations Committee, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Ritter
Anderson	Jensen	Sand
Anfinson	Jury	Sandness
Beasley	Just	Saumur
Beaton	Knudson, Steele	Savre
Beggs	Knutson, LaMoure	Schauss
Biberdorf	LaBerge	Semerad
Bieloh	Leum	Severson
Billigmeier	Levin	Shure, Cass
Bjornson	Livingston	Shurr, Bottineau
Blair	Magill	Solberg
Brusseau	McIntee	Sticka
Burgum	Morland	Stray
Byrne	Morris	Symington
Dalzell	Myers	Thoreson
Dullea	Nelson, Sargent	Traynor
Gessner	Niewoehner	Treffry
Gilberg	Obach	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Greiser	Olson, Adams	Twichell
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	Wendland
Hofstrand	Olson, Sargent	White
Holm	Page	Wick
Holmquist	Peterson, Bot'neau	Williams
Holthusen	Peterson, Renville	Wolf
Hultstrand	Peterson, Richland	Mr. Speaker
Huseby	Pewe	

Those voting in the negative were:

Messrs.  
Frazier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Krank	McInnes
Benno	Freitag	Nelson, Cass

Messrs.	Messrs.	Messrs.
Black	Frosaker	Norheim
Brown	Graham	O'Brien
Caddell	Johnson	Rait
Day	Jones	Schimke
Dittmer	Kapaun	Seibel
Fitch	Kraus	Thompson
Frey	Langford	

So the report was adopted and S. T. Kvamen was duly elected.

## SIXTH ORDER OF BUSINESS

### REPORT OF SELECT COMMITTEES

Mr. Burgum reported the terms offered by T. D. Shepard for the installation of a loud speaking system in the House Chambers.

Mr. Godwin moved that the Board of Administration be instructed to authorize the immediate installation of the loud speaking system on trial.

Which motion prevailed.

Mr. Page moved that the written report be referred back to the committee for further consideration, pending a trial of the equipment in question.

Which motion prevailed.

### REPORT OF EMPLOYMENT COMMITTEE

The Employment committee, having considered the salaries of employees to be paid during the Twenty-fifth Legislative Assembly, offer the following resolution; that the daily rate of pay for employees for services performed during this session shall be as follows:

Minnie D. Craig, Chief Clerk .....	\$8.00
J. M. Anderson, First Assistant Chief Clerk.....	6.50
Paul C. Bennett, Second Assistant Chief Clerk.....	6.50
Helen Ulsrud, Desk Reporter .....	8.00
Bert Monaghan, Sergeant-at-Arms.....	5.00
Mabel Engeseth, H. Stenographer.....	5.00
Clara Kane, H. Stenographer.....	5.00
Evelyn Dada, Stenographer .....	5.00
Beatrice Brunell, Stenographer .....	5.00
Sophie Tengesdal, Stenographer .....	5.00
Mabel Kallon, Stenographer .....	5.00
Margaret McDonald, Stenographer .....	5.00
V. L. Gilbreath, Chief Enrolling and Engrossing Clerk....	5.00
Arnold E. Banse, Assistant Enrolling and Engrossing Clerk .....	5.00
Walter Bubel, Bill Clerk .....	5.00
Asher Anderson, Clerk, Judiciary Committee.....	4.50
Andre Gratten, Page and Committee Clerk .....	4.50
H. C. Epping, Chief Mailing Clerk .....	4.50
Gottlieb Diede, Assistant Mailing Clerk .....	4.50
Peter W. Haarsager, Assistant Mailing Clerk .....	4.50

Henry Link, Assistant Mailing Clerk .....	4.50
Ben Fedje, Voucher Clerk .....	4.50
Mrs. Helga Kolstad, Postmistress .....	4.50
Ray Cooper, Assistant Postmaster .....	4.50
Henry O. Lundene, Bill Room Clerk .....	4.50
Stephen Theil, Messenger .....	4.50
Mrs. Ruby Williams, Telephone Attendant .....	4.50
Rev. Forrest B. Sharkey, Chief Proof Reader.....	5.00
Mrs. Sena Ingberg, Assistant Proof Reader.....	5.00
W. S. Place, Doorkeeper .....	4.50
E. A. Ernest, Doorkeeper .....	4.50
Anton J. Schmidt, Doorkeeper .....	4.50
Jacob Meier, Doorkeeper .....	4.50
Mrs. M. M. Ruder, Cloakroom Attendant .....	4.50
Oscar O. Odegaard, Cloakroom Attendant.....	4.50
F. L. Bowerman, Attendant and Marshal .....	4.50
Kenneth Morgan, Page .....	4.50
James J. Flynn, Page .....	4.50
Wm. (Bud) Rathbun, Page .....	4.50
David Foerderer, Page .....	4.50
Alfred Gast, Janitor .....	4.50
John Byrne, Janitor .....	4.50
Nels J. Peterson, Janitor .....	4.50
Andreas Wolf, Janitor .....	4.50
T. A. Crawford, Janitor .....	4.50
J. M. Joiner, Night Watchman .....	4.50
I. M. Hanson, Doorkeeper .....	4.50
Emil Broten, Clerk, Taxes and Tax Laws.....	4.50
J. J. Fischer, Clerk, State Affairs .....	4.50
S. T. Kvamen, Clerk, Appropriations .....	4.50
Chaplain .....	3.00

EDWARD SAVRE,  
Chairman.

Mr. Savre moves the adoption of the report.

#### ROLL CALL

The question being on the report of the Employment committee, the roll was called and there were ayes, 76; nays, 8; absent and not voting, 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Pewe
Anderson	Jensen	Ritter
Anfinson	Jury	Sand
Beasley	Knudson, Steele	Sandness
Beaton	Knutson, LaMoure	Saumur
Biberdorf	LaBerge	Savre
Bieloh	Leum	Schauss
Billigmeier	Levin	Semerad
Bjornson	Livingston	Shure, Cass
Blair	McInnes	Shurr, Bottineau
Brusseau	McIntee	Solberg
Burgum	Morland	Sticka
Dittmer	Morris	Stray
Dullea	Myers	Symington

Messrs.	Messrs.	Messrs.
Gessner	Niewoehner	Thoreson
Gilberg	Norheim	Traynor
Godwin	Obach	Treffry
Goodlaxon	Odegard	Tuff
Greiser	Olson, Adams	Tweten
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	Wendland
Hofstrand	Page	White
Holmquist	Peterson, Bot'neau	Wick
Holthusen	Peterson, Renville	Wolf
Hultstrand	Peterson, Richland	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dalzell	Oglesby	Twichell
Frazier	Rait	Williams
Magill	Severson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Frey	Langford
Beggs	Frosaker	Nelson, Cass
Benno	Graham	Nelson, Sargent
Black	Holm	O'Brien
Brown	Johnson	Olson, Sargent
Byrne	Jones	Schimke
Caddell	Just	Seibel
Day	Kapaun	Thompson
Fitch	Krank	Trydahl
Freitag	Kraus	

So the motion prevailed and the report was adopted.

The Speaker administered the oath of office to S. T. Kvamen as Clerk of the Appropriations committee.

### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the Chief Clerk be authorized to have cards printed for each House member's desk, such cards to set forth the county which each member represents.

### ROLL CALL

The question being on the motion of Mr. Godwin, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Pewe
Anderson	Jury	Rait
Anfinson	Just	Ritter
Beaton	Knudson, Steele	Sand
Biberdorf	Knutson, LaMoure	Sandness
Bieloh	LaBerge	Saumur

Messrs.	Messrs.	Messrs.
Billigmeier	Leum	Savre
Bjornson	Levin	Schauss
Blair	Livingston	Semerad
Brusseau	Magill	Severson
Burgum	McInnes	Shure, Cass
Byrne	McIntee	Shurr, Bottineau
Dalzell	Morland	Solberg
Dullea	Morris	Sticka
Frazier	Myers	Stray
Gessner	Nelson, Sargent	Symington
Gilberg	Niewoehner	Traynor
Godwin	Norheim	Treffry
Goodlaxon	Obach	Trydahl
Greiser	Odegard	Tuff
Hagen	Oglesby	Tweten
Haines	Olson, Adams	Twichell
Hofstrand	Olson, Bowman	Urschel
Holm	Olson, McLean	Wendland
Holmquist	Olson, Sargent	White
Holthusen	Page	Wick
Hultstrand	Peterson, Bot'neau	Williams
Huseby	Peterson, Renville	Wolf
Ireland	Peterson, Richland	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Fitch	Kraus
Beasley	Freitag	Langford
Beggs	Frey	Nelson, Cass
Benno	Frosaker	O'Brien
Black	Graham	Schimke
Brown	Johnson	Seibel
Caddell	Jones	Thompson
Day	Kapaun	Thoreson
Dittmer	Krank	

So the motion prevailed.

#### FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

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

The Committee on Appropriations introduced:

House Bill No. 28. A Bill for an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

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

Mr. Dalzell introduced:

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### JOINT RESOLUTION "D"

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Joint Resolution "D" was read.

Mr. Godwin moved the adoption of Joint Resolution "D."

## ROLL CALL

The question being on the adoption of Joint Resolution "D," the roll was called and there were ayes, 89; nays 0; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Pewe
Akland	Jensen	Rait
Anderson	Jury	Ritter
Anfinson	Just	Sand
Beaton	Knudson, Steele	Sandness
Beggs	Knutson, LaMoure	Saumur
Biberdorf	LaBerge	Savre
Bieloh	Leum	Schauss
Billigmeier	Levin	Semerad
Bjornson	Livingston	Severson
Blair	Magill	Shure, Cass
Brusseau	McInnes	Shurr, Bottineau
Burgum	McIntee	Solberg
Byrne	Morland	Sticka
Dalzell	Morris	Stray
Day	Myers	Symington
Dullea	Nelson, Sargent	Traynor
Frazier	Niewoehner	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	Odegard	Tweten
Goodlaxon	Oglesby	Twichell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	Wendland
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Wick
Holm	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Renville	Mr. Speaker
Huseby	Peterson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Frey	Kraus
Benno	Frosaker	Langford
Black	Graham	Nelson, Cass
Brown	Holthusen	O'Brien
Caddell	Johnson	Schimke
Dittmer	Jones	Seibel
Fitch	Kapaun	Thompson
Freitag	Krank	Thoreson

So the motion prevailed and the Resolution was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck North Dakota,  
January 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

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

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

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

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

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

#### SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that the absent members be excused, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck North Dakota,  
January 16, 1937.

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

#### JOINT RESOLUTION "D"

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



Mr. Godwin moved that the House be upon the eighth order of business, and that it remain upon the said eighth order of business until same was completed, and that immediately upon the completion of the eighth order of business the House stand adjourned.

Which motion prevailed.

The Speaker ruled that inasmuch as anything pertaining to House Bill No. 1 would be included in unfinished business, the report of the Enrolling and Engrossing Committee be considered, and recorded in the Journal.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrolling and Engrossing made the following report:

Mr. Speaker: Your Committee on Enrolling and Engrossing to whom was referred:

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Have examined the bill and find the same properly enrolled.

L. R. BURGUM,  
Vice Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Clerk announced that the Speaker was about to sign House Bill No. 1, and the Speaker signed House Bill No. 1 in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 16, 1937.

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

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

SATURDAY, JANUARY 16, 1937

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Which the Speaker has signed and your signature is respectively requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 16, 1937.

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

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker announced that the unfinished business was completed, and that the House was adjourned.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

John Page, Hamilton, N. D.; Mrs. Robert Rait, Kermit, N. D.; Fred Krause, Hazen; George Watson, Rugby; Law. Watson, Rugby; C. H. Olson, Rugby; Mrs. A. W. Benno, Minot; Obert C. Teigen, Devils Lake; Harold P. Thompson, Cavalier; Edgar Matson, New Rockford; Olaf M. Thorson, Lakota.

MINNIE D. CRAIG,  
Chief Clerk.

## FOURTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 18, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Ellis L. Jackson of Bismarck.

The roll was called, and all members were present except Representatives Burgum, Byrne, Fitch, Jones, Kraus, Langford, Nelson of Cass, Olson of McLean, Shure of Cass, Thompson and Trydahl.

So a quorum was declared present.

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

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

On page 99, the last line of the report of the Committee on Revision and Correction of the Journal, after the word "and," insert the words "when so corrected."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Communication from the Lidgerwood Fire Department, referred to Committee on Insurance.

Communication from H. M. Lowe of Oakes, North Dakota, referred to Committee on Taxes and Tax Laws.

**REPORT OF EMPLOYMENT COMMITTEE**

Mr. Speaker: The Committee on Employment moves that the name of Henry O. Lundene be stricken from the employment list and the name of John Hove be substituted in his place as Bill Room Clerk.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report, which motion prevailed and the report was adopted.

**REPORTS OF STANDING COMMITTEES**

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Was delivered to the Governor for his approval at the hour of 4:49 o'clock p. m., January 16th, 1937.

CARL H. DITTMER,  
Chairman.

House Resolution "B" was read and referred to the Committee on Taxes and Tax Laws.

House Concurrent Resolution "F" was read and referred to the Committee on Ways and Means.

**FIRST READING OF HOUSE BILLS**

The Committee on Appropriations introduced:

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

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

Mr. Peterson of Bottineau introduced:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

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

Messrs. Norheim and Blair introduced:

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Mr. Wolf: "I move that in view of the fact that the old committee to arrange for committee rooms has been discharged, the Speaker appoint a new committee for that purpose."

The motion was carried, and the Speaker appointed Representatives Symington, Olson of Bowman, and McInnes.

The Speaker administered the oath of office to John Hove as Bill Room Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Wolf moved that the absent members be excused.

Which motion prevailed.

#### TWELFTH ORDER OF BUSINESS

##### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 18, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### THIRTEENTH ORDER OF BUSINESS

##### FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

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

Mr. Godwin moved that the House adjourn, which motion prevailed, and the House was adjourned.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

H. W. Page, Westhope; F. W. Lonsborough, Bottineau; W. E. Bingenheimer, Newburg; S. J. Acheson, Westhope; Sgt. C. K. Groff, Lisbon; M. M. Werran, Balta; Chas. Tuff, Jos. G. Augustin, Rugby; John Houcharff, Max; F. D. McCarthy, Oakes; Joseph T. Allmaras, New Rockford; James Slattery, Bismarck; Helen Anderson, Charlson; T. Bjornerud, Litchville; Mr. Tate, Valley City; Vincent Hoffart, Robert Greiser, Jr., Jacob Krine, Wishek; Ben Bauer, Napoleon; A. A. Wichman, Wilbert Schatzke, Durbin.

MINNIE D. CRAIG,  
Chief Clerk.

## FIFTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 19, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Ellis L. Jackson of Bismarck.

The roll was called, and all members were present except Representatives Byrne, Jones, Langford, Livingston, Shure of Cass and Trydahl.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fourteenth day and recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

State of North Dakota  
OFFICE OF THE GOVERNOR  
Bismarck

January 16, 1937.

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 1. A Bill for an Act Making an Emergency

Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Very truly yours,  
**WILLIAM LANGER,**  
 Governor.

Resolution from Watson Township, Cass County, North Dakota.

Mr. Godwin moved that the Resolution be received and referred to the proper committee, which motion prevailed, and the Resolution was referred to the Judiciary Committee.

Petition signed by Erick M. Oman of Napoleon and 46 others, referred to the Insurance Committee.

#### REPORTS OF STANDING COMMITTEES

The Committee on Federal Relations made the following report:

Mr. Speaker: Your Committee on Federal Relations to whom was referred:

House Concurrent Resolution "E" Urging Congress to Provide Federal Funds for the Planting and Growing of Trees in North Dakota.

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

On page two, line three, strike out the word "wire" and insert in lieu thereof the word "Mail."

And when so amended recommend the same do pass.

**E. J. DULLEA,**  
 Chairman.

Mr. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

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

On page 1, Section 1, line 20 of the original bill which is page 1, Section 1, line 11 of the printed bill, strike out the



word "fifteen" and insert in lieu thereof the word "ten;" and on line 21 of the Original Bill correct the spelling of "boundaries."

And when so amended recommend the same do pass.

GUS. A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 4. 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.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 22. A Bill for an Act to Amend and Re-enact Section 18 of Chapter 101 of the Session Laws of 1927, Pertaining to Barbers and the Barber Board.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Odegard moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF SELECT COMMITTEES

Mr. Speaker: Your committee appointed to make arrangements for Committee Rooms beg leave to make the following report:

Agriculture .....	G-1
Apportionment .....	House Floor
Appropriations .....	Lounge Room
Banks and Banking .....	G-5
Cities and Municipal Corporations.....	Left Balcony, Room 210
Corporations other than Municipal.....	Left Balcony, Room 210
Counties .....	Left Balcony, Room 210
Drainage and Irrigation .....	Left Balcony, Room 211
Education .....	G-5
Elections and Election Privileges.....	Left Balcony, Room 211
Enroller and Engrosser.....	Room known as Stenographer Room on Ground Floor
Federal Relations .....	Left Balcony, Room 211
Game and Fish .....	Left Balcony, Room 211
Highways and Bridges .....	G-6
Insurance .....	Right Balcony, Room 209
Judiciary .....	G-3
Livestock .....	Right Balcony, Room 209
Military Affairs .....	Right Balcony, Room 208
Mines and Mining.....	Right Balcony, Room 208
Public Debt .....	Right Balcony, Room 208
Public Health .....	Right Balcony, Room 208
Public Safety .....	Right Balcony, Room 208
Railroads .....	G-3
School and Public Lands .....	Right Balcony, Room 209
State Affairs .....	G-2
Taxes and Tax Laws .....	G-1
Temperance .....	Hearing Room
Warehouse and Grain Grading .....	G-3
Ways and Means .....	G-6

Committee:  
E. D. SYMINGTON  
O. C. OLSON of Bowman  
H. W. McINNES.

Mr. Symington moved the adoption of the report and that the committee be discharged, which motion prevailed and the report was adopted and the committee was discharged.

Mr. Burgum moved that the report of the Committee on Mileage and Per Diem as printed on pages 1, 2, 3, 4 and 5 of the House Journal for the Ninth Day be stricken from the Permanent Journal, and that the amended report of the above named committee as printed on Pages 8, 9, 10 and 11 of the Journal for the Eleventh Day be substituted in lieu thereof, and printed in the Permanent Journal.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 19, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### SENATE CONCURRENT RESOLUTION "C"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Clerk announced that the Speaker was about to sign Senate Concurrent Resolution "C", and the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 19, 1937.

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

#### SENATE CONCURRENT RESOLUTION "C"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF HOUSE BILLS

Mr. Knutson of LaMoure introduced:

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades;

Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

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

Mr. Godwin introduced:

House Bill No. 34. A Bill for an Act to Amend and Re-enact Subdivision 3 of Section 10635 of the 1913 Compiled Laws Relating to When Grand Jury May Be Called and Providing for a Petition in Writing Requesting the Calling of Such Grand Jury.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 19, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### JOINT MEMORIAL RESOLUTION "A"

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Clerk read Joint Memorial Resolution "A".

Mr. Stray moved the adoption of Joint Memorial Resolution "A," and that the resolution be printed in the Journal, which motion prevailed.

#### JOINT MEMORIAL RESOLUTION "A"

Introduced by Senator Olson

WHEREAS, the late Harry T. Peterson of Plaza, North Dakota, was called to his eternal reward on May 3, 1936; and,

WHEREAS, he represented the Forty-fourth Legislative District for two years as a member of the Senate, and he also served as a member of the House of Representatives for two terms, and during all his public service and during his life, as a private citizen, his was a splendid example of integrity, loyalty, conscientious endeavor, and good citizenship; and

WHEREAS, in his passing North Dakota has lost a true friend, a leader in the preservation of sound, liberal government, honestly administered, a man whose desire and interest was the furtherance of all good and worthy causes for the betterment of the State, his local community, and his fellowmen;

THEREFORE, BE IT RESOLVED, by the Senate and the House of Representatives assembled in Joint Session, that we do hereby express our heartfelt appreciation of the loyal service of our distinguished citizen, the late Harry T. Peterson, and that we further express the keen sorrow which we feel because of his passing; and

BE IT FURTHER RESOLVED, that the Resolution be printed in the Journal and that engrossed copies be forwarded by the Chief Clerk of the Senate to his mother, Mrs. Christena Peterson of Anacortes, Washington; to his daughters, Edna, of Seattle, Washington; Adeline of Bremerton, Washington; Margaret of Bismarck; to his sons, James and Edward of Seattle; and Robert of Grand Forks; and to his two brothers, Martin of Plaza, North Dakota, and Edward of Plentywood, Montana.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 19, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution::

JOINT RESOLUTION "E"

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Clerk read Joint Resolution "E."

Mr. Godwin moved that Joint Resolution "E" be adopted, that the Speaker appoint a committee of three as specified in the Resolution, and that the Resolution be printed in the Journal, which motion prevailed and the Speaker appointed to such committee, Representatives Thompson, Fitch and Greiser.

JOINT RESOLUTION "E"

Introduced by Special Senate Committee

WHEREAS, Mr. G. I. Gullickson has offered to donate to the State of North Dakota a copy painted by himself of the original painting of the Signing of The Declaration of Independence, and

WHEREAS, It is the sense of the Legislative Assembly that this generous offer should be accepted,

NOW THEREFORE, BE IT RESOLVED, By the Legislative Assembly of the State of North Dakota:

1. That the aforesaid offer be and the same is hereby accepted for and on behalf of the State of North Dakota;
2. That the Board of Administration is hereby authorized

and directed to provide for the hanging of said painting on the stair landing of the second floor of the Liberty Memorial Building;

3. That a joint committee of three Senators and three House members be appointed by the presiding officers of the Senate and House to make arrangements for an appropriate ceremony for the unveiling of such picture.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 19, 1937.

Mr. President: I have the honor to inform you that the House has adopted:

#### JOINT MEMORIAL RESOLUTION "A"

Also,

That the House has adopted:

#### JOINT RESOLUTION "E"

And has appointed Representatives Thompson, Fitch and Greiser to confer with a like committee from the Senate to arrange an appropriate program for the unveiling of the portrait.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Goodlaxon moved that the absent members be excused.

Which motion prevailed.

Mr. Frazier requested that the House be on the Sixth Order of Business.

#### REPORTS OF SELECT COMMITTEES

Mr. Speaker: Your committee appointed to meet with a like committee from the Senate to call upon Governor William Langer to present to the President of the United States our urgent need for immediate financial assistance, has performed its duties and wishes to be excused.

R. W. FRAZIER,  
Chairman.

Mr. Frazier moved that the communication to the President of the United States be also printed with the report.

Which motion prevailed.

January 16, 1937.

To the Honorable Franklin D. Roosevelt, President of the United States:

The Twenty-fifth Legislative Assembly of the State of North Dakota now in session, hereby desire to express to you our appreciation of the cooperation of the Federal Government during your administration in alleviating human suffering and needs in North Dakota. We further wish to extend to you personally our appreciation of your personal interest in the well being of our citizens.

On January 15, 1937, a committee of the North Dakota Senate was appointed to confer with a like committee of the House of Representatives. This committee was instructed to call upon our Governor Langer, who is leaving to attend your inauguration.

We, the committee, take this method of asking your further cooperation with Governor Langer to provide funds immediately for the necessities of life to the people and stock of our commonwealth.

Our legislature has just appropriated half a million dollars out of anticipated sales tax revenue, which revenue has already by law of 1935, been allocated for sustaining schools in our state. Unless these funds can be restored through grant from the Federal Government, a large number of our schools will be unable to function.

Respectfully submitted:

House Committee:  
R. W. FRAZIER  
OSCAR HAGAN  
GEO. H. SAUMUR.

Senate Committee:  
E. F. MUTCHLER  
HENRY WILLIAMS  
H. G. GUENTHER.

Mr. Godwin requested that the communication be read to the House. There being no objection, the communication was read.

Mr. Godwin moved that the report of the committee be accepted, that the communication be printed in the Journal, and the committee be discharged.

Which motion prevailed.

Mr. Burgum: "I move that a notation be made in the Journal to the effect that this communication to the President was made pursuant to the passing of the motion of Representative Frazier, shown on Page 4 of the Journal of the Eleventh Day, and the motion of Representative Burgum on Page 14 of the Journal of the same day.

Which motion prevailed.

Mr. Godwin moved that the vote by which the report of the Employment Committee concerning salaries of employees was adopted be reconsidered.

Which motion prevailed.



Mr. Godwin moved to recess to 1:45 p. m., tomorrow, which motion prevailed, and the House recessed.

#### GENERAL ORDERS

#### HOUSE CONCURRENT RESOLUTION "E"

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

#### COURTESIES OF THE FLOOR

The Courtesies of the floor were extended to the following: C. E. Leedy, St. Paul; P. C. C. Wagner, Grand Forks; O. J. Olson, Bismarck; John Elias, McKenzie; Mrs. T. A. Crawford, Mr. and Mrs. Wiley, Rev. and Mrs. L. T. Reishus, Velva; Jos. G. Augustus, Rugby; Clayton Runck, Durbin; A. W. Reinke, Center; Ed. Nathan, E. P. Pfeifle, Wishek; Enid Godwin, Mandan; L. F. Henry, Jamestown; Mrs. O. R. LaBerge, Grafton; O. H. Dahl, Minot.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTEENTH DAY AFTER RECESS AND SIXTEENTH  
DAY

House of Representatives,  
Bismarck, North Dakota,  
January 20, 1937.

The House convened at 1:45 p. m., pursuant to recess,  
Speaker Dahl presiding.

Mr. Niewoehner moved that the House adjourn, which mo-  
tion prevailed.

SIXTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 20, 1937.

The House assembled at 2:00 p. m., pursuant to adjourn-  
ment, Speaker Dahl presiding.

Prayer by Rev. Ellis L. Jackson of Bismarck.

The roll was called, and all members were present except  
Representatives Byrne, Greiser, Jones, Langford, Ritter and  
Shure of Cass.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND CORREC-  
TION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction  
of the Journal have carefully examined the Journal of the  
15th day and recommend that the same be corrected as fol-  
lows:

On page 125, line 8, in last word change first letter from  
L to R.

And when so corrected recommend that the same be ap-  
proved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Resolution submitted by the County Commissioners of Divide County, referred to the Committee on Federal Relations.

#### REPORT OF COMMITTEE ON EMPLOYMENT

Mr. Speaker: Your House Committee on Employment beg leave to report as follows:

That H. R. Long was employed for six days as proof reader at \$5.00 per day prior to the time of being sworn in;

That Andre Gratton was employed for six days as page at the rate of \$4.50 per day prior to the time of being sworn in;

That Kenneth Morgan was employed for four days as page at the rate of \$4.50 per day prior to the time of being sworn in;

That these persons are employees of the House and this report is made for the purpose of enabling them to be paid for this time which they actually were employed.

EDW. SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

#### ROLL CALL

The question being on the adoption of the report, the roll was called and there were ayes, 105; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anderson	Holthusen	Page
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Ejornson	Knudson, Steele	Schauss
Black	Knutson, LaMoure	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Brusseau	LaBerge	Severson
Burgum	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	Magill	Symington
Dittmer	McInnes	Thompson

Messrs.	Messrs.	Messrs.
Dullea	McIntee	Thoreson
Fitch	Morland	Traynor
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Niewoehner	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Greiser	Odegard	Wick
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Rait	Stray

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Shure, Cass
Jones	Ritter	

So the report was adopted.

#### REPORTS OF SELECT COMMITTEES

The Special Committee on Contest of Mr. Godwin's Election made the following report:

Mr. Speaker: Your Special Committee to whom was referred contest papers on the case of Representative Godwin's election from Morton County, have had the same under consideration and find no grounds justifying further consideration of same by the House. We therefore recommend that further consideration be indefinitely postponed.

Signed:

PAUL A. SAND,  
K. A. FITCH,  
JOE D. BYRNE.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

House Concurrent Resolution "G" was read.

#### HOUSE CONCURRENT RESOLUTION "G"

Introduced by Joint Committee on Printing.

WHEREAS, four thousand copies of the Senate and House Journals is insufficient to supply the demand,

THEREFORE, BE IT RESOLVED, that the number of

printed House and Senate Journals be increased to forty-five hundred.

For the House:

ROBT. GREISER,  
GUS A. SCHAUSS,  
C. M. PETERSON,

For the Senate:

MELVIN P. JOHNSON,  
C. C. MORRISON,  
MAX H. STREHLOW.

### ROLL CALL

The question being on the adoption of House Concurrent Resolution "G", the roll was called and there were ayes, 106; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knudson, Steele	Schauss
Black	Knutson, LaMoure	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Brusseau	LaBerge	Severson
Burgum	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	Magill	Stray
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Niewoehner	Tweten
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Wolf	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Shure, Cass
Jones	Odegard	

So Resolution "G" was declared adopted.

Mr. Hagen: I move that the Speaker appoint a committee of three to confer with Mr. Howard Wood, State Resettlement Director, for some information on the work of the Resettlement Administration, and to report back to the House.

The motion prevailed, and the Speaker appointed Representatives Hagen, Knutson of LaMoure, and Olson of Bowman.

#### FIRST READING OF HOUSE BILLS

Mr. Frazier introduced:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commissions.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Odegard, Thoreson and Niewoehner introduced:

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

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

Mr. Wolf introduced:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Revised Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

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

Mr. Kraus introduced:

House Bill No. 38. A Bill for an Act to Amend and Re-enact Section 9514 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Crime of Kidnaping, and Providing Penalties Therefor.

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

Messrs. Freitag and Blair introduced:

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

The Committee on Appropriations introduced:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

The Committee on Appropriations introduced:

House Bill No. 41. 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.

The Committee on Appropriations introduced:

House Bill No. 42. 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 first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

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

Mr. Page introduced:

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

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

Mr Frazier (by request) introduced:

House Bill No. 48. A Bill for an Act Providing for the Inspection of Lubricating Oils Transported Into the State or Offered for Sale Within the State, the Payment of an Inspection Fee of One Cent per Gallon on All Such Oil, the Labeling of Oil Containers and the Payment of Expenses Incurred in the Enforcement of This Act from the Fees Received.

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

Mr. Frazier introduced:

House Bill No. 49. A Bill for an Act to Provide for a Civil Service Commission; Defining the Powers, Duties and Compensation of Such Commission; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to Such Commission the Duty to Make Rules for Examination and Certification of Persons Eligible for Appointment to Positions; Making Rules for Appointment, Promotion, Transfer, and Re-instatement of Persons to Positions in Such Service; Providing Penalties for Violations of



the Act and Making an Appropriation for the Purpose of Paying Salaries and Other Expenses.

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

Messrs. Wolf and Greiser introduced:

House Bill No. 50. A Bill for an Act Relating to the Repossessing of Property Sold Under Conditional Sales Contract or Contracts Reserving Title in the Seller; Requiring Service of Notice of Intention to Repossess; Fixing Terms Under Which Possession May Be Taken; Limiting the Right of the Seller; Authorizing District Judges to Make Orders With Reference Thereto.

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

Mr. Frazier introduced:

House Bill No. 51. A Bill for an Act Requiring a License for Establishing, Opening, Maintaining or Operating Chain Stores Within the State of North Dakota; Prescribing the License Fee to Be Paid; Disposing of the Money Derived Therefrom; Defining the Powers and Duties of the State Tax Commissioner in Connection Therewith; Providing Penalties for Violations of the Act, and Providing for Trial of Litigated Matters in North Dakota Courts.

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

Messrs. Graham and Niewoehner introduced:

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness, Valid and Legal, and Declaring an Emergency.

Was read the first time and referred to the Committee on Drainage and Irrigation.

Mrs. Olson of McLean (by request) introduced:

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

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

Mrs. Olson of McLean (by request) introduced:

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court

or State Training School, Without Order of the Juvenile Court.

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

### SECOND READING OF HOUSE BILLS

House Bill No. 4. 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, 103; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wolf
Haines	Olson, Bowman	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Magill	Stray	Williams
Page	Wick	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Jones	Shure, Cass
Fitch	Langford	

So the bill passed and the title was agreed to.

Mr. Magill: "I want to explain my vote. It is my opinion that no bill should be voted upon unless the members of the House be given ample opportunity for debate of questions that may be asked. As far as I am concerned, and I think this holds true in regard to a great many other members, I don't know anything about the merits of this bill. We only know that it has been passed through the committee, and I think we should have more information at hand. No bill should be passed without ample opportunity for consideration by the House."

Mr. Stray: "I vote 'no' for the same reason. I would like to know why I am saying 'aye' or 'no' on a bill. I don't like to vote without knowing what I am voting on. I vote 'no' because I don't know whether this bill is necessary or not."

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

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, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Leum	Severson

Messrs.	Messrs.	Messrs.
Burgum	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Jones	Shure, Cass
Fitch	Langford	

So the bill passed and the title was agreed to.

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of 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, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Johnson	Ritter
Beggs	Jury	Sand
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Knudson, Steele	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	Kraus	Seibel
Blair	LaBerge	Semerad

Messrs.	Messrs.	Messrs.
Brown	Leum	Severson
Brusseau	Levin	Shurr, Bottineau
Burgum	Livingston	Solberg
Caddell	Magill	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Dittmer	Morland	Thompson
Dullea	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Godwin	Langford
Fitch	Jones	Shure, Cass

So the bill passed and the title was agreed to.

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

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, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur

Messrs.	Messrs.	Messrs.
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	Magill	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Niewoehner	Tweten
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Traynor
Jones	Shure, Cass	

So the bill passed and the title was agreed to.

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

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, 94; nays, 14, absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Olson, McLean
Anfinson	Hultstrand	Olson, Sargent
Beasley	Huseby	Page
Beaton	Ireland	Peterson, Bot'neau
Beggs	Jensen	Peterson, Renville
Benno	Johnson	Peterson, Richland
Biberdorf	Jury	Pewe
Bieloh	Just	Rait
Bjornson	Kapaun	Sand
Black	Knudson, Steele	Sandness
Blair	Krank	Saumur

Messrs.	Messrs.	Messrs.
Brown	Kraus	Savre
Brusseau	LaBerge	Schauss
Burgum	Leum	Schimke
Caddell	Levin	Semerad
Dalzell	Livingston	Shurr, Bottineau
Day	Magill	Solberg
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Hagen	Oglesby	Wolf
Haines	Olson, Bowman	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Tuff
Akland	Knutson, LaMoure	Tweten
Billigmeier	Olson, Adams	Wick
Greiser	Seibel	Williams
Holm	Severson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Shure, Cass
Jones	Ritter	

So the bill passed and the title was agreed to.

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Was read the second time.

Mr. Traynor asked the unanimous consent of the House to correct the spelling of the word "adjournment" in the original bill, which consent was granted.

Mr. Traynor moved that the rules be suspended, and that House Bill No. 13 be considered properly engrossed and placed on second reading and final passage.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Akland	Holthusen	Olson, Sargent
Anderson	Hultstrand	Page
Anfinson	Huseby	Peterson, Bot'neau
Beasley	Ireland	Peterson, Renville
Beaton	Jensen	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jury	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre
Blair	Krank	Schauss
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	Magill	Sticka
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Fitch	Morland	Thoreson
Freitag	Morris	Traynor
Frey	Myers	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tweten
Gilberg	Niewoehner	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Hagen	Odegard	Wick
Haines	Oglesby	Williams
Hofstrand	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Rait	Stray
Frazier	Schimke	Tuff
Greiser		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Shure, Cass
Jones		

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:



Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

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

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

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

#### GENERAL ORDERS

Mr. Beggs moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Beggs to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Concurrent Resolution "E" Urging Congress to Pro-

vide Federal Funds for the Planting and Growing of Trees in North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

On page two, line three, strike out the word "wire" and insert in lieu thereof the word "Mail."

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

And recommend the adoption of the Standing Committee's amendments as follows:

On page 1, Section 1, line 20 of the original bill which is page 1, Section 1, line 11 of the printed bill, strike out the word "fifteen" and insert in lieu thereof "ten"; and on line 21 of the original bill correct the spelling of the word "boundaries".

And the further amendment:

In Section 1245, line 2 of the original bill, which is page 1, line 5 of the printed bill, after the word "member" insert the following words: "who shall be elected by the legal voters thereof, and".

And when so amended, recommend the same do pass.

ARLO E. BEGGS,  
Chairman.

Mr. Wolf moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Mr. Holm moved the adoption of House Concurrent Resolution "E" as amended by the Committee of the Whole, and that the amended Resolution be printed in the Journal, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "E"

Introduced by Representative Ole B. Stray

Urging Congress to Provide Federal Funds for the Planting and Growing of Trees in North Dakota.

A Joint Resolution of the Senate and House of Representatives of the State of North Dakota.

WHEREAS, it is necessary to plant and grow trees in the State of North Dakota for the purpose of preventing soil erosion in the Northwestern states and for the prevention of floods in the Missouri valley and Mississippi valley, and

WHEREAS, there is now sufficient funds provided for by Congress for soil erosion and relief, and

WHEREAS, the planting and growing of said trees will

create labor for the unemployed in the State of North Dakota and will alleviate the suffering of the unemployed in North Dakota, and will relieve the relief administration at Washington for the providing of direct grants to the unemployed by furnishing employment, to the unemployed.

BE IT THEREFORE RESOLVED, that in the worst depression in the history of the United States and in the severest crop failure in the history of North Dakota and in an era unsurpassed human suffering and want by a large portion of the people of North Dakota, we the Senate and House of Representatives of the State of North Dakota,

Do petition and memorialize the Congress of the United States that it by constitutional action, as warranted by the present emergency provide for the planting and growing of trees in the State of North Dakota and that it provides funds for same out of soil erosion funds and the poor relief funds now in existence and already provided for by Congress; and that the Federal Government have full control of the growing and planting of said trees; and that only the unemployed and those on relief be employed upon said project as aforesaid.

BE IT FURTHER RESOLVED, that a copy of this resolution be mailed to the President of the United States, the Vice President of the United States, and the Speaker of the House of Representatives.

Filed January 14, 1937.

Mr. Wolf moved that the House recess to 1:45 p. m., tomorrow, which motion prevailed and the House recessed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Dr. J. H. Shephard, Fargo; Elizabeth Gifford, Birder Campbell, Minot; F. G. Orr, Bismarck; N. B. Livingston, Minot; Mary Ullrich, New Rockford; A. P. Boe, Finley; Mrs. R. W. Frazier, Crosby; Mrs. J. A. Heder, Bismarck; Mrs. Dan R. Jones, Vernon Johnson, Wahpeton; Mrs. Harry Brusseau, Walhalla; Fred Krause, Hazen; Harry Polk, Williston; Herbert Nathan, Bismarck.

MINNIE D. CRAIG,  
Chief Clerk.

SIXTEENTH DAY AFTER RECESS AND  
SEVENTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 21, 1937.

The House convened at 1:45 p. m., pursuant to recess, Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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SEVENTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 21, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. F. E. Logee of Bismarck.

The roll was called, and all members were present except Representatives Byrne, Gilberg, Jones, Langford, Olson of McLean, Page, Savre and Shure of Cass.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND CORRECTION  
OF THE JOURNAL

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

Mr. Speaker: 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 131, line 24, change the spelling of "Thorson" to "Thoreson".

On page 134, in line 39, and also in line 45, change "Mr." to "Mrs."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Resolution from Afton Farmers Union of Ward County referred to Committee on Military Affairs.

Resolution from Afton Farmers Union No. 665 referred to Appropriations committee.

#### REPORT OF COMMITTEE ON ENROLLING AND ENGROSSING

The Committee on Enrolling and Engrossing made the following report:

Mr. Speaker: Your Committee on Enrolling and Engrossing, to whom was referred:

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Also,

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Have examined the same and find them properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Solberg moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous

General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

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

In the printed bill, page 2, strike out all of line 11, re-number and change total to read "\$1,800.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

JENSEN  
Chairman.

Mr. Billigmeier moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF EMPLOYMENT COMMITTEE

Your committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

C. R. Weber, Jamestown, N. Dak., Clerk and Committee Room Attendant for the following committees: Federal Relations, Drainage and Irrigation, and Highways and Bridges.

Howard Crockett, Langdon, N. Dak., Clerk and Committee Room Attendant for the following committees: Education, Banks and Banking, and Livestock.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

#### ROLL CALL

The question being on the election of C. R. Weber and Howard Crockett, the roll was called and there were ayes, 79; nays, 27; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Odegard
Akland	Hofstrand	Olson, Adams

Messrs.	Messrs.	Messrs.
Anderson	Holmquist	Olson, Bowman
Anfinson	Holthusen	Olson, McLean
Beasley	Hultstrand	Olson, Sargent
Beaton	Huseby	Peterson, Bot'neau
Beggs	Jensen	Peterson, Renville
Benno	Just	Peterson, Richland
Biberdorf	Kapaun	Pewe
Bieloh	Knudson, Steele	Ritter
Billigmeier	Knutson, LaMoure	Sand
Bjornson	Kraus	Sandness
Black	LaBerge	Saumur
Brown	Leum	Schauss
Brusseau	Levin	Schimke
Burgum	Livingston	Seibel
Caddell	McInnes	Shurr, Bottineau
Dullea	McIntee	Sticka
Fitch	Morland	Stray
Frey	Morris	Symington
Frosaker	Myers	Thoreson
Gessner	Nelson, Cass	Treffry
Godwin	Nelson, Sargent	Tuff
Goodlaxon	Niewoehner	Urschel
Graham	Obach	White
Greiser	O'Brien	Mr. Speaker
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Jury	Thompson
Dalzell	Krank	Traynor
Day	Magill	Trydahl
Dittmer	Norheim	Tweten
Frazier	Oglesby	Twichell
Freitag	Rait	Wendland
Holm	Semerad	Wick
Ireland	Severson	Williams
Johnson	Solberg	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Savre
Gilberg	Page	Shure, Cass
Jones		

So the report was adopted and the nominees were duly elected.

#### REPORT OF COMMITTEE ON EMPLOYMENT

Mr. Speaker: Your Committee on Employment begs leave to report as follows:

That Forrest B. Sharkey was employed for four days as Proofreader at \$5.00 per day, prior to the time of being sworn in;

That this person is an employee of the House of Repre-

sentatives and that this report is made for the purpose of enabling him to be paid for this time in which he was actually employed.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of this report.

ROLL CALL

The question being on the adoption of the report, the roll was called and there were ayes, 101; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Akland	Holmquist	Olson, McLean
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Schauss
Bjornson	Knudson, Steele	Schimke
Black	Knutson, LaMoure	Seibel
Blair	Krank	Semerad
Brown	Kraus	Severson
Brusseau	LaBerge	Shurr, Bottineau
Burgum	Leum	Solberg
Caddell	Levin	Sticka
Dalzell	Livingston	Stray
Day	McInnes	Symington
Dittmer	McIntee	Thompson
Dullea	Magill	Thoreson
Fitch	Morland	Traynor
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Nelson, Cass	Tweten
Gessner	Nelson, Sargent	Urschel
Godwin	Niewoehner	Wendland
Goodlaxon	Norheim	White
Graham	Obach	Wick
Greiser	O'Brien	Williams
Hagen	Odegard	Wolf
Haines	Oglesby	Mr. Speaker
Hofstrand	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.
Frazier	Rait

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Page	Shure, Cass



Messrs.	Messrs.	Messrs.
Gilberg	Saumur	Tuff
Jones	Savre	Twichell
Langford		

So the motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEES

Mr. Speaker: Your Select Committee appointed to interview Resettlement Director Howard Wood for information regarding resettlement grants, begs leave to make the following report:

When questioned as to the reports of checks not reaching resettlement clients, Mr. Wood reported as follows:

"That he was aware that there had been considerable delay, but that he believed the checks were now clearing in good shape; that the delay, in his opinion, was caused because of the removal of the regional offices from Bismarck to Lincoln, Nebraska; that a report just received from the Lincoln office disclosed that of 17,351 vouchers in that office January 15th, all had been cleared by the end of the 16th, except 1,349; that these checks should now be getting into the various counties of North Dakota; and that in his opinion this lot of checks would clean up all over-due checks and probably include 10,000 January grants.

Of the 17,351 vouchers mentioned, 7,954 were new cases receiving their initial payments;

That there will be approximately 35,000 grants for January and probably 43,000 for February;

That the average grant is \$23.00 for the state as a whole, with some western counties running over that figure and that there are funds available until the middle of February.

Committee:

OSCAR W. HAGEN, Chm.,  
ELLIOTT T. KNUTSON,  
C. T. OLSON.

Mr. Hagen moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Mr. Frazier introduced:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he may Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

Was read the first time and referred to the Committee on Highways and Bridges.

Mr. Olson of Adams introduced:

House Bill No. 56. A Bill for an Act Relating to Tax Sale Certificates Issued to Counties, Prohibiting in Certain Cases Issuance of Tax Deeds Thereon Prior to the 31st Day of December, 1939, Making Null and Void any Tax Deed Contrary to the Provisions of This Act, Repealing Chapter 277 of the 1935 Session Laws, Suspending All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

The Committee on State Affairs introduced:

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

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

Mr. Savre introduced:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of North Dakota.

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

Messrs. Dittmer and Schauss introduced:

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

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

Mr. Godwin introduced:

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 4380 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Causes for Granting Divorce.

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

## SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Amending and Re-

enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Was read the second time.

Mr. Frazier requested unanimous consent to amend House Bill No. 29.

Which consent was denied.

Mr. Freitag moved that House Bill No. 29 be re-referred to the Committee on Education for further consideration.

Which motion was lost.

Mr. Olson of Adams moved that House Bill No. 29 be indefinitely postponed.

The question being on Mr. Olson's motion, a division was called for and granted. There being 43 in favor of such motion and 50 against, the motion was declared lost.

Mr. Burgum asked unanimous consent to amend House Bill No. 29.

Which consent was denied.

Mr. Sand moved that House Bill No. 29 be re-referred to the Education committee for correction.

Which motion prevailed.

The Speaker administered the oath of office to Howard Crockett as Committee Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 34. 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.

Also,

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

## TELEGRAM FROM GOVERNOR LANGER

If agreeable to the House and Senate for joint session have arranged for the Honorable Cal Ward of Lincoln, Nebr., regional director, and Assistant Attorney General Reetz, legal adviser to resettlement, to appear and discuss feeding of live stock; also resettlement loans and grants; also to gather data to secure additional funds from the government. Also they will appear before the appropriate committees on these same matters.

Wiring Lieutenant-governor Thoresen and wish to have wire from you this afternoon at Willard if this arrangement has been made for Tuesday morning, January 26.

WILLIAM LANGER.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. Speaker: I have the honor to inform you that the President of the Senate has appointed as a committee to confer with a like committee from the House to arrange for a joint session, Senators Cain, Owings and Gronvold.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the Speaker appoint a committee of three to confer with the like committee appointed from the Senate for the purpose of arranging a joint session pursuant to wire received from Governor Langer.

The motion prevailed, and the Speaker appointed to such committee Representatives Godwin, Morland and Frosaker.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. President: I have the honor to inform you that the House has complied with your request for a committee arranging for a joint session on Tuesday, January 26, 1937, and the Speaker has appointed a committee to act with the committee from the Senate, Representatives Godwin, Morland and Frosaker.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, Session Laws of 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

## FIRST READING OF SENATE BILLS

Senate Bill No. 34. 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.

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

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

Joint Resolution "H" was read.

## ROLL CALL

The question being on the adoption of Joint Resolution "H" the roll was called and there were ayes, 100; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Bowman
Akland	Holthusen	Olson, McLean

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Olson, Sargent
Anfinson	Huseby	Peterson, Bot'neau
Beasley	Ireland	Peterson, Renville
Beggs	Jensen	Peterson, Richland
Benno	Johnson	Pewe
Biberdorf	Jury	Rait
Bieloh	Just	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knudson, Steele	Sandness
Black	Knutson, LaMoure	Saumur
Blair	Krank	Schauss
Brown	Kraus	Schimke
Brusseau	LaBerge	Severson
Burgum	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frey	Morris	Traynor
Frosaker	Myers	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Nelson, Sargent	Tuff
Godwin	Norheim	Tweten
Goodlaxon	Niewoehner	Urschel
Graham	Obach	White
Greiser	O'Brien	Wick
Hagen	Odegard	Williams
Haines	Oglesby	Wolf
Hofstrand	Olson, Adams	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.
Frazier	Semerad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Langford	Shure, Cass
Byrne	Page	Twichell
Freitag	Savre	Wendland
Jones	Seibel	

So Joint Resolution "H" was adopted.

Mr. Twichell moved that Joint Resolution "H" be printed in the Journal, and not as a bill, which motion prevailed.

### JOINT RESOLUTION "H"

Introduced by Committee on Employment

A Concurrent Resolution Providing and Designating House and Senate Employees and Naming and Fixing Their Salaries:

Legislative Assembly

Be It Resolved by the House of Representatives of the 25th Legislative Assembly of the State of North Dakota and the Senate Concurring:

That for and during this Twenty-fifth Legislative Assembly the following named persons be employed and appointed as officers and employees of the Senate and of the House, and shall be paid the compensation set opposite their respective names:

Minnie D. Craig, Chief Clerk .....	\$8.00
J. M. Anderson, First Assistant Chief Clerk .....	6.50
Paul C. Bennett, Second Assistant Chief Clerk .....	6.50
Helen Ulrud, Desk Reporter .....	8.00
Thomas McDonald, Secretary of Senate .....	8.00
W. E. Matthaai, First Assistant Secretary of Senate.....	6.50
Phillip Heiling, Second Assistant Secretary of Senate...	6.50
Howard A. Goldammer, Bill Clerk .....	5.00
Margaret Sheehan, Desk Reporter .....	8.00
Bert Monaghan, Sergeant-at-Arms .....	5.00
Joe Volk, Jr., Sergeant-at-Arms .....	5.00
Emil Strand, Assistant Sergeant-at-Arms.....	4.50
Mabel Engeseth, H. Stenographer .....	5.00
Clara Kane, H. Stenographer .....	5.00
Ruth Smith, H. Stenographer .....	5.00
Evelyn Dada, Stenographer .....	5.00
Beatrice Brunell, Stenographer .....	5.00
Sophie Tengesdal, Stenographer .....	5.00
Mabel Kallon, Stenographer .....	5.00
Margaret McDonald, Stenographer .....	5.00
Betty Boyle, Stenographer .....	5.00
Jennie Fisher, Stenographer .....	5.00
Louise Orish, Stenographer .....	5.00
Olga Christenson, Stenographer .....	5.00
LaVerne Odegard, Stenographer .....	5.00
Myrtle Topp, Stenographer .....	5.00
V. L. Gilbreath, Chief Enrolling and Engrossing Clerk...	5.00
Miriam Taylor, Clerk, Enrolling and Engrossing.....	5.00
Eva Goetz, Clerk, Enrolling and Engrossing .....	5.00
Arnold E. Banse, Asst. Enrolling and Engrossing Clk....	5.00
Walter Bubel, Bill Clerk .....	5.00
Asher Anderson, Clerk, Judiciary Committee .....	4.50
Carl J. Larson, Clerk, State Affairs Committee.....	4.50
A. G. Sundfor, Postmaster .....	5.00
Mrs. Helga Kolstad, Postmistress .....	4.50
Ray Cooper, Assistant Postmaster .....	4.50
S. B. Salverson, Chief Mailing Clerk .....	4.50
Theodore Thompson, Assistant Mailing Clerk .....	4.50
I. A. Smith, Jr., Assistant Mailing Clerk .....	4.50
N. L. Johnson, Appropriation Clerk .....	4.50
H. C. Epping, Chief Mailing Clerk .....	4.50
Gottlieb Diede, Assistant Mailing Clerk .....	4.50
Peter W. Haarsager, Assistant Mailing Clerk.....	4.50
Henry Link, Assistant Mailing Clerk .....	4.50
Ben Fedge, Voucher Clerk .....	4.50
John Hove, Bill Room Clerk .....	4.50
J. J. Fischer, Clerk, State Affairs .....	4.50
S. T. Kvamen, Clerk, Appropriations .....	4.50
Emil Broten, Clerk Taxes and Tax Laws .....	4.50

William Kane, Committee Clerk .....	4.50
Earl Anderson, Committee Clerk .....	4.50
Clara Rishling, Clerk .....	4.50
Ann Zurcher, Clerk .....	4.50
Stephen Theil, Messenger .....	4.50
Henry Jacobson, Messenger .....	4.50
J. C. Goll, Messenger .....	4.50
E. G. Monson, Messenger .....	4.50
C. A. Bring, Governor's Messenger .....	4.50
G. Sundfor, Messenger .....	4.50
Mrs. Ruby Williams, Telephone Attendant .....	4.50
Mrs. Sena Ingberg, Assistant Proof Reader .....	5.00
Rev. Forrest B. Sharkey, Chief Proof Reader .....	5.00
H. W. Anderberg, Proofreader .....	5.00
J. O. Bergheim, Proofreader .....	5.00
W. S. Place, Doorkeeper .....	4.50
E. A. Ernest, Doorkeeper .....	4.50
Anton J. Schmidt, Doorkeeper .....	4.50
Jacob Meier, Doorkeeper .....	4.50
Torgy Thompson, Doorkeeper .....	4.50
J. J. Forster, Doorkeeper .....	4.50
Paul Christenson, Doorkeeper .....	4.50
Joseph Fettig, Doorkeeper .....	4.50
Mrs. M. M. Ruder, Cloakroom Attendant .....	4.50
Oscar O. Odegaard, Cloakroom Attendant .....	4.50
F. L. Bowerman, Attendant and Marshal .....	4.50
Kenneth Morgan, Page .....	4.50
James J. Flynn, Page .....	4.50
Wm. (Bud) Rathbun, Page .....	4.50
David Foerderer, Page .....	4.50
Donnell Haugen, Page .....	4.50
Glenn Swanson, Page .....	4.50
Clarence Anderson, Page .....	4.50
Edwin Osowski, Page .....	4.50
Alfred Gast, Janitor .....	4.50
John Byrne, Janitor .....	4.50
Nels J. Peterson, Janitor .....	4.50
Andreas Wolf, Janitor .....	4.50
T. A. Crawford, Janitor .....	4.50
E. B. Ressler, Janitor .....	4.50
John Spitzer, Jr., Janitor .....	4.50
Z. Vlasoff, Janitor .....	4.50
Jacob Lutz, Janitor .....	4.50
Jacob Hegland, Janitor .....	4.50
J. M. Joiner, Night Watchman .....	4.50
I. M. Hanson, Doorkeeper .....	4.50
Ruth Hintgen, Clerk, Judiciary .....	4.50
Margaret Ike, Clerk, Education .....	4.50
Chaplain .....	3.00

WHEREAS, Henry O. Lundene served as Bill Room Clerk from the Fifth (5th) day of January, 1937, up to the Eighteenth (18th) day of January, 1937, making up a total of fourteen (14) days, both inclusive.

THEREFORE BE IT RESOLVED, that the said Henry O. Lundene be paid the sum of Sixty-three Dollars (\$63.00) for services as Bill Room Clerk.



## SIXTH ORDER OF BUSINESS

Mr. Burgum, as chairman of the select committee appointed to arrange for the loud speaking system, reported that the time of trial on the system was over.

Mr. Twichell moved that the committee appointed to arrange for the loud speaking system be authorized to negotiate with the owner of the system for the purchase of the same, and that it also be authorized to enter into a lease at five dollars a day if it should develop that they are unable to purchase the system at satisfactory terms.

The motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

## HOUSE CONCURRENT RESOLUTION "H"

Which the House has adopted.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 21, 1937.

Mr. Speaker: I have the honor to transmit herewith the following:

## JOINT RESOLUTION "H"

Which the Senate has passed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Twichell moved that the members of the Appropriations Committee be excused for the purpose of attending a joint session with the members of the Senate Appropriations Committee, which motion prevailed.

Mr. Godwin moved that the members of the Committee on Taxes and Tax Laws be excused to meet in joint session with the members of the Senate Committee on Taxes and Tax Laws, which motion prevailed.

Mr. Olson of Adams moved that the House recess to 1:45 p. m., tomorrow, which motion prevailed and the House was recessed.

## GENERAL ORDERS

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

## COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

J. A. Alberta, Julius Lund, Jimmy Moran, Dr. V. Sandberg, Minot; E. H. Gilbertson, Mrs. E. H. Gilbertson, Finley; Robert Huey, Jamestown; John C. Boschee, Wishek; John J. Bellon, Lehr; Ludwig Metzel, Napoleon; Mrs. James Caddell, Selfridge; Geo. F. Maur, Judson; Mrs. John C. Kjos, Wyndmere; Capt. E. G. Wanner, Bismarck; Oscar A. Olson, Bowman; A. A. Christianson, Burke; Oliver A. Stoutland, Fargo; Walter Hamann, Richardton; Joe Holk, Harvey; Fred Bentz, Sr., Harvey; H. Garnett, St. Thomas; Mrs. Dan R. Jones, Wahpeton, James Hanley, Jr., Mandan; E. J. McKellar, Fargo.

MINNIE D. CRAIG,  
Chief Clerk.

SEVENTEENTH DAY AFTER RECESS AND  
EIGHTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 22, 1937.

The House convened at 1:45 P. M., pursuant to recess,  
Speaker Dahl presiding.

EIGHTH ORDER OF BUSINESS

The Speaker administered the oath of office to C. R. Weber  
as Committee Clerk.

HOUSE RESOLUTION "C"

Introduced by Representative Freitag

WHEREAS, in House Bill No. 1 of the Twenty-fifth Legis-  
lative Assembly, \$500,000.00 was appropriated for the use of  
the Public Welfare Board for relief and aid of the poor and  
destitute people of our State, and

WHEREAS, said administrative officers and favored em-  
ployees of the Welfare Board are reported to be drawing ex-  
cessive salaries and expenses, and

WHEREAS, the cost of administration of said relief by  
the Welfare Board is reported to be excessively high and out  
of all relation to the amount of work done, therefore

BE IT RESOLVED, that the State Public Welfare Board  
forthwith submit to this Legislative Assembly a report and  
statement listing the names of all officers and employees who  
receive salaries from all departments combined amounting  
to \$150.00 per month or over, showing the amount of salary  
received, the time of service of each person, and the actual  
time put in by each such person during the month of Decem-  
ber, 1936, and the first two weeks in January, 1937, the total  
number of employees during such time and such other in-  
formation as is necessary for a complete understanding of  
the cost of such Welfare administration.

BE IT FURTHER RESOLVED, that such statement be  
filed with the Chief Clerk of the House of Representatives

forthwith and when received that it be published in the Journal on the following legislative day.

BE IT FURTHER RESOLVED, that the Chief Clerk be instructed to serve a copy of this Resolution upon E. A. Willson, Executive Director of the Public Welfare Board immediately after its adoption.

Mr. Freitag moved the adoption of House Resolution "C."

Mr. Frazier moved that the Resolution be amended to the effect that the above named salary report shall show the salaries of all employees, which motion prevailed and the Resolution was amended.

The question now being on Mr. Freitag's motion, the motion prevailed and House Resolution "C" was adopted.

Mr. Wolf moved that the absent members be excused.

Which motion prevailed.

Mr. Morris moved that the Report of the Employment Committee on pages 101, 102 and 103 be eliminated from the Permanent Journal, and that the permanent record show only the Report of the Employment Committee on Pages 156 and 157 of the Journal.

Which motion prevailed.

Mr. Anfinson asked an extension on House Bill No. 2.

Which extension was granted.

Mr. Myers asked an extension on House Bill No. 8.

Which extension was granted.

Mr. Wolf asked an extension on House Bill No. 7.

Which extension was granted.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

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#### EIGHTEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 22, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. F. E. Logee of Bismarck.

The roll was called, and all members were present except Representatives Byrne, Fitch, Jones, Kraus, Langford, Norheim, Page, Traynor and White.

So a quorum was declared present.

**REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL**

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Sixteenth Day after Recess and Seventeenth Day and recommend that the same corrected as follows:

On page 151, correct Journal to show that House Bill No. 59 was referred to the Committee on Taxes and Tax Laws.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Olson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
January 22, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

Also,

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

Senate Bill No. 48. A Bill for an Act to Amend and Re-

enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts.

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

Very respectfully,

THOMAS McDONALD.  
Secretary.

Telegram signed by R. H. Points, State's Attorney of Divide County.

Resolution from the County Commissioners of Pierce County, referred to Committee on State Affairs.

Resolution from the County Commissioners of Pierce County referred to Committee on Taxes and Tax Laws.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 22, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 4. 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.

Also,

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

Also,

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Which the House has passed and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Revised Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

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

In Section 1, line 7, strike out the word "but".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Schauss moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE CONCURRENT RESOLUTION "I"

Introduced by Ole Stray

Providing for the housing of a dance on the first floor of the Capitol Building in commemoration of the meeting of the Twenty-fifth Legislative Assembly, was read.

Mr. Godwin moved the adoption of House Concurrent Resolution "I", which motion prevailed and the Resolution was adopted.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and

for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

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

At the end of the title strike out the period and add the following: "semicolon", "Repeal", "Semicolon,, "Declaring an Emergency" "period".

On page 2, Section 4, line 2, after the word "leases" insert the words "and royalties".

On page 3, at the end of the Bill add, "Sec. 5. All Acts and parts of Acts, insofar as they conflict herewith, are hereby repealed."

And, "Sec. 6. 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.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

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

In the title of the Bill after the word "by" in second line from the bottom, strike out the balance of the title and insert in lieu thereof the word "law".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.



The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

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

On page 2, after the word "of" in line 3, strike out the balance of the section and insert the following: "Sections 2092b1 to 2092b8 of the Compiled Laws of North Dakota for 1913 and acts amendatory thereto."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

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

In Section 1, line 4 on top of page 2, strike out all of lines 4 and 5 up to and including the word "thereof".

In line 5, same section, strike out the word "together" and in line 6, strike out the words "with all other savings in connection therewith".

In line 7, after the word "taxpayers", strike out the word "thereof." Sec. 2, on line 4, after the word "from" insert the word "actual".

ROBT. GREISER,  
 JAMES CADDELL,  
 CHAS. H. BLACK,  
 H. R. FREITAG,  
 L. C. ODEGARD,  
 GEORGE BJORNSON,  
 GEO. H. SAUMUR,  
 J. D. HOLTHUSEN,  
 F. J. HAINES,  
 ED. McINTEE,  
 OSCAR W. HAGEN,  
 VAL. P. WOLF,  
 Chairman.

And when so amended recommend the same do pass.

Aminority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. WILLIAMS,  
 L. R. BURGUM,  
 ELLIOTT T. KNUTSON,  
 L. L. TWICHELL.

Mr. Godwin moved the adoption of the majority report, which motion prevailed, and the majority report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 14. A Bill for an Act to Conserve the Na-

tural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 22, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

#### HOUSE CONCURRENT RESOLUTION "I"

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF HOUSE BILLS

The Committee on Education introduced:

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit the Time in Which Action May Be Brought to Enforce the Same, and Repealing All Acts or Parts of Act in Conflict Herewith.

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

Messrs. Frazier and Gessner introduced:

House Bill No. 63. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate News-

paper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

Was read the first time referred to the Committee on Public Printing.

Mr. Niewoehner introduced:

House Bill No. 64. A Bill for an Act to Prohibit Treating in Places Licensed to Sell Intoxicating Liquors as Beverages.

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

Mr. Sandness introduced:

House Bill No. 65. A Bill for an Act to Amend Chapter 117 of the 1935 Session Laws Providing for the Creation of a Board of County Park Commissioners by Adding Thereto a Provision to Be Designated as Section 7-A Thereof to Permit Said County Park Commissioners to Make a Levy on the Taxable Property of the County to Be Expended for Park and Recreational Purposes, and Exempting Said Tax Levy from the Levy Limitations Provided by Chapter 235 of the 1929 Session Laws and Amendments Thereto, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Mr. Blair introduced:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 6854 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, and Section 6855 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, as Amended by Chapter 156 of the 1929 Session Laws and by Chapter 177 of the 1931 Session Laws, Relating to Threshing Liens and Procedure to Obtain the Same.

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

Messrs. Godwin and Stray introduced:

House Bill No. 67. A Bill for an Act to Regulate the Employment of Teachers in Public Schools of the State of North Dakota and in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged from Their Positions; Providing for Probationary Periods; Providing for Hearing and Appeal.

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

Messrs. Godwin and Stray introduced:

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter,"

“Apprentice Painter”; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

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

The Committee on Taxes and Tax Laws introduced:

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: “An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith,” Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at the Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

The Committee on Taxes and Tax Laws introduced:

House Bill No. 70. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: “An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value

Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Providing for the Assessment of All Property Not Otherwise Taxed at Its Full Value, the Determination of Such Value, the Exemption of Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 22, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### HOUSE CONCURRENT RESOLUTION "I"

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in 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, 93; nays, 9; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, McLean
Akland	Hofstrand	Olson, Sargent
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jury	Saumur
Bjornson	Just	Schauss
Black	Knudson, Steele	Schimke
Blair	Krank	Semerad
Brown	LaBerge	Severson

Messrs.	Messrs.	Messrs.
Brusseau	Leum	Shurr, Bottineau
Burgum	Levin	Solberg
Caddell	Livingston	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Dullea	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Obach	Tweten
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Oglesby	Wick
Greiser	Olson, Adams	Wolf
Hagen	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dittmer	Magill	Seibel
Kapaun	Nelson, Cass	Shure, Cass
Knutson, LaMoure	Savre	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Kraus	Traynor
Fitch	Langford	Twichell
Frazier	Norheim	White
Jones	Page	

So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

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

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Senate Bill No. 35. A Bill for an Act Making an Appro-

riation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

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

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

#### GENERAL ORDERS

Mr. Myers moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Mr. Myers to the chair.

The Speaker resumed the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

And recommend the adoption of the Standing Committee's amendment as follows:

In the printed bill, page 2, strike out all of line 11, re-number and change total to read "\$1,800.00".

And the further amendment:



In Sec. 1, line 3, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,800.00".

And when so amended recommend that the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House recess for the Joint Session, and that immediately following the Joint Session the House stand adjourned, which motion prevailed.

#### GENERAL ORDERS

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Revised Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North

Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to Wallace Flynn, Jamestown, N. D.; James Morris, Jamestown, N. D.; Aug. Perschke, Center, N. D.; J. Hamelsmith, Grand Forks; E. M. Gillig, Fargo; W. E. Robb, Watford City; Anton Kamkies, Souris; William Crockett, Wales, N. D.

MINNIE D. CRAIG,  
Chief Clerk.

## NINETEENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 23, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. F. E. Logee of Bismarck.

The roll was called and all members were present except Representatives Byrne, Dalzell, Fitch, Frazier, Johnson, Jones, Krank, Kraus, Langford, Livingston, McIntee, Nelson of Cass, Norheim, Obach, Semerad, Severson and White.

So a quorum was declared present.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 23, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Also,

Senate Bill No. 21. A Bill for An Act to Provide that Judgments not Renewed Within Ten Years From Date of Docketing Shall Be Discharged and Satisfied of Record, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF COMMITTEE ON CORRECTION AND REVISION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Seventeenth Day after Recess and Eighteenth Day and recommend that the same be corrected as follows:

On page 165, line 20, correct the spelling of the word "Section".

On page 172, correct the roll call on House Bill No. 18 to show "11" absent and not voting.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 23, 1937.

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

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Which the House has passed and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Proclamation from Governor Langer read from the desk.

Mr. Godwin moved that the proclamation be printed in the Journal.

Which motion prevailed.

#### PROCLAMATION

WHEREAS, a great number of children in the United States have been stricken and maimed by infantile paralysis, and there are living in the State of North Dakota many children who are crippled or deformed by accidents, poliomyelitis and other devastating diseases, and in need of financial assistance to enable them to obtain the medical or orthopedic treatment essential to the alleviation of their physically handicapped condition; and

WHEREAS, Franklin Delano Roosevelt, the President of the United States, has consented to lend the occasion of his birthday to the promotion of research efforts in combating that dread disease, infantile paralysis, and to the aid of those afflicted; and

WHEREAS, the Fourth Annual Birthday Ball for the President will be held in various cities and localities throughout the State on January 30, 1937,

NOW, THEREFORE, I, William Langer, Governor of the State of North Dakota, do hereby proclaim and declare that the Birthday Ball for the President is a worthy enterprise and deserving of the support of the citizens of this State.

The object and purpose of this proclamation is to urge all, who are financially able, to lend their assistance to the success of this humanitarian program, and by so doing join in making better citizens of those less fortunate children who through no fault of their own are physically unfit and without funds to secure the necessary treatment.

Given under my hand and the Great Seal of the State of North Dakota, at my office at the Capitol, in the city of Bismarck, this 22nd day of January, A. D. 1937.

By the Governor:

WILLIAM LANGER.

#### PETITIONS AND COMMUNICATIONS

Communication from Corwin-Churchill Motors, Inc., Bismarck, North Dakota.

Communication from Holabird and Root, architects.

Resolution from Ignatius K. Werwinski, of South Bend, Indiana, referred to the Committee on Military Affairs.

Communication signed by P. F. Hasse of Tappen and others, referred to the Committee on Public Health.

Resolution from Board of County Commissioners of McHenry County referred to the Committee on Taxes and Tax Laws.

Communication from the State Board of Administration.

Mr. Twichell moved that the communication from the Board of Administration be referred to the Committee on Appropriations.

Which motion prevailed.

Resolution from County Commissioners of Bottineau County, referred to the Committee on Taxes and Tax Laws.

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

PAUL SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

#### HOUSE CONCURRENT RESOLUTION "F"

Have had the same under consideration and recommend that the same be adopted.

AXEL PETERSON,  
HARVEY BRUSSEAU,  
CARL H. PEWE,  
A. W. BENNO,  
FRED SEIBEL,  
CARL ANFINSON,  
Chairman.

House Concurrent Resolution "F" was read.

Mr. Godwin 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. Speaker: Your Committee on Enrollment and Engrossment to whom was referred:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Have examined the same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Burgum reported for the select committee appointed to negotiate for a loud speaking system for the House. He reported that the rental of the system on trial for the rest of the legislative session would amount to a total of \$235.00, and \$5.00 a day for extra days thereafter.

Mr. Burgum moved that the terms as above set forth be accepted, and that the loud speaking system be kept for the remainder of the legislative session.

#### ROLL CALL

The question being on Mr. Burgum's motion the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Renville
Akland	Holmquist	Peterson, Richland
Anderson	Holthusen	Pew

Messrs.	Messrs.	Messrs.
Anfinson	Hultstrand	Rait
Beasley	Huseby	Ritter
Beaton	Ireland	Sand
Beggs	Jensen	Sandness
Benno	Jury	Saumur
Biberdorf	Just	Savre
Bieloh	Kapaun	Schauss
Billigmeier	Knudson, Steele	Schimke
Bjornson	Knutson, LaMoure	Severson
Black	LaBerge	Shure, Cass
Blair	Leum	Shurr, Bottineau
Brown	Levin	Solberg
Brusseau	Magill	Sticka
Burgum	McInnes	Stray
Caddell	McIntee	Symington
Day	Morland	Thompson
Dittmer	Morris	Thoreson
Dullea	Myers	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Niewoehner	Trydahl
Frey	O'Brien	Tuff
Gessner	Odegard	Tweten
Gilberg	Oglesby	Twichell
Godwin	Olson, Adams	Urschel
Goodlaxon	Olson, Bowman	Wendland
Graham	Olson, McLean	Wick
Greiser	Olson, Sargent	Williams
Hagen	Page	Wolf
Haines	Peterson, Bot'neau	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.  
Seibel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Jones	Nelson, Cass
Dalzell	Krank	Norheim
Fitch	Kraus	Obach
Frosaker	Langford	Semerad
Johnson	Livingston	White

So the motion prevailed.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment recommends that the name of Mable Kallon be stricken from the Employment list and the name of Lois Dunham be substituted in her place as stenographer.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report, which motion prevailed.



HOUSE CONCURRENT RESOLUTION "J" was read.

Mr. Godwin moved that the House defer action on House Concurrent Resolution "J" for one legislative day.

Which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Messrs. Anderson and Livingston introduced:

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

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

The Committee on Taxes and Tax Laws introduced:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom it Shall Take Effect and Be in Force upon their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932 Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, 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 Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced:

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized State-

ment Thereof, 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 Taxes and Tax Laws.

Messrs. Livingston and Anderson introduced:

House Bill No. 74. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 157 of the 1935 Session Laws, Relating to Legal Rate of Interest.

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

Messrs. Livingston and Anderson introduced:

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

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

Mr. Sand introduced:

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

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

The Committee on Appropriations introduced:

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 23, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

#### JOINT MEMORIAL RESOLUTION "A"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## SECOND READING OF HOUSE BILLS

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Was read the second time.

Mr. Godwin asked unanimous consent to amend the bill as follows:

On page 2, Section 2, line 5, of the printed bill, after the word "wells," strike out the comma, which consent was granted and the bill was amended.

Mr. Godwin moved that the rules be suspended and that House Bill No. 14 be considered properly re-engrossed and placed on 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, 95; nays, 1; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Akland	Holm	Peterson, Renville
Anderson	Holmquist	Peterson, Richland
Anfinson	Holthusen	Pewe
Beasley	Hultstrand	Rait
Beaton	Huseby	Ritter
Beggs	Ireland	Sand
Benno	Jensen	Sandness
Biberdorf	Jury	Saumur
Billigmeier	Just	Savre
Bjornson	Kapaun	Schauss
Black	Knudson, Steele	Severson
Blair	Knutson, LaMoure	Shure, Cass
Brown	LaBerge	Shurr, Bottineau
Brusseau	Leum	Solberg
Burgum	Levin	Sticka
Caddell	Magill	Stray
Day	McInnes	Symington
Dittmer	McIntee	Thompson
Dullea	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	O'Brien	Tweten
Gilberg	Odegard	Twichell
Godwin	Oglesby	Urschel

Messrs.	Messrs.	Messrs.
Goodlaxon	Olson, Adams	Wendland
Graham	Olson, Bowman	Wick
Greiser	Olson, McLean	Wolf
Hagen	Olson, Sargent	Mr. Speaker
Haines	Page	

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Krank	Obach
Byrne	Kraus	Schimke
Dalzell	Langford	Seibel
Fitch	Livingston	Semerad
Johnson	Nelson, Cass	White
Jones	Norheim	

So the bill passed and the title was agreed to.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

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, 77; nays, 15; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Sargent
Akland	Holm	Peterson, Bot'neau
Anderson	Holmquist	Peterson, Renville
Anfinson	Holthusen	Peterson, Richland
Beasley	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Jury	Ritter
Benno	Kapaun	Sand
Biberdorf	Knudson, Steele	Saumur
Billigmeier	LaBerge	Savre
Bjornson	Leum	Schauss
Black	Levin	Severson
Blair	Magill	Shure, Cass
Brown	McInnes	Shurr, Bottineau
Brusseau	McIntee	Sticka
Burgum	Morland	Stray
Caddell	Morris	Symington
Day	Myers	Thompson
Dittmer	Nelson, Sargent	Treffry
Dullea	Niewoehner	Trydahl
Frosaker	O'Brien	Tuff

Messrs.	Messrs.	Messrs.
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	Wendland
Graham	Olson, Adams	Wick
Hagen	Olson, Bowman	Mr. Speaker
Haines	Olson, McLean	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Just	Solberg
Freitag	Knutson, LaMoure	Thoreson
Greiser	Page	Tweten
Ireland	Sandness	Williams
Jensen	Schimke	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Johnson	Norheim
Byrne	Jones	Obach
Dalzell	Krank	Seibel
Fitch	Kraus	Semerad
Frey	Langford	Traynor
Gessner	Livingston	Twichell
Gilberg	Nelson, Cass	White

So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

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

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

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

Senate Bill No. 21. A Bill for An Act to Provide that Judgments not Renewed Within Ten Years From Date of Docketing Shall Be Discharged and Satisfied of Record, 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 Judiciary.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

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

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

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

#### EIGHTH ORDER OF BUSINESS

The Clerk announced that the Speaker was about to sign Joint Memorial Resolution "A," and the Speaker signed the same in the presence of the House.

The Speaker administered the oath of office to Lois Dunham, as Stenographer.

Mr. Twichell requested that the House be on the Ninth Order of Business.

Which request was granted.

#### FIRST READING OF HOUSE BILLS

Messrs: Godwin, Bergum and Twichell introduced:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

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

#### GENERAL ORDERS

Mr. Niewoehner moved that the House resolve itself into a Committee of the Whole for the consideration of general orders.

Which motion prevailed.

The Speaker called Mr. Niewoehner to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Revised Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

And recommend the adoption of the report of the standing committee as follows:

In Section 1, line 7, strike out the word "but".

And the further amendments:

In line 1 of the title of the printed bill, strike out the word "revised," and insert in lieu thereof the word "compiled".

Also,

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equilization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

And recommend the adoption of the report of the standing committee as follows:

In the title of the Bill after the word "by" in second line from the bottom, strike out the balance of the title and insert in lieu thereof the word "law".

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

And recommend the adoption of the report of the standing committee as follows:

At the end of the title, strike out the period and add the following: "semicolon", "Repeal", "Semicolon", "Declaring an Emergency", "period".

On page 2, Section 4, line 2, after the word "leases" insert the words "and royalties".

On page 3, at the end of the Bill, add "Sec. 5. All Acts and parts of Acts, insofar as they conflict herewith, are hereby repealed."

And, "Sec. 6. 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."

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

And recommend the adoption of the report of the standing committee as follows:

On page 2, after the word "of" in line 3, strike out the balance of the section and insert the following: "Sections 2092b1 to 2092b8 of the Compiled Laws of North Dakota for 1913 and acts amendatory thereto."

An the further amendments:

That the amendment of the committee be amended as follows: After the figures "2092b8" in the committee's amendment, strike out the word "of" and insert the following words: "inclusive, of the Supplement to"

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

And recommend the adoption of the standing committee's amendments as follows:



In Section 1, line 4, on top of page 2, strike out all of lines 4 and 5 up to and including the word "thereof".

In line 5, same section, strike out the word "together" and in line 6, strike out the words "with all other savings in connection therewith".

In line 7, after the word "taxpayers", strike out the word "thereof." Sec. 2, on line 4, after the word "from" insert the word "actual".

And the further amendments:

In Section 1, line 5, of the printed bill, strike out the comma after the word "thereof".

In Section 1, line 6 of the printed bill, strike out the comma following the word "therewith".

And when so amended recommend the same do pass.

H. F. NIEWOEHNER,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Helen Anderson, Charlson, N. D.; Charles McNulty, Emma McNulty, Helen McNulty, Bud McNulty, Stanton; Fred Miller, Turtle Lake; Milan Huso, Alfred E. Rued, Balfour; Clyde Duffy, Devils Lake; Supt. A. Peterson, Washburn; Walter Elderbrock, Christ Teverna, Lois Dunham, New Rockford; M. S. Davidson, Drake; Theodore Ludke, Minot; Carl Anderson, Page.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
January 25, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

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

The roll was called and all members were present except Representatives Burgum, Godwin, Greiser, Jones, Norheim, Seibel, Semerad and Traynor.

So a quorum was declared present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Nineteenth day and recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Communication from Wishek Labor Club, referred to Committee on Public Health.

Communication signed by Clerk Stienstra of Streeter and 11 others referred to Committee on Public Health.

Communication signed by H. M. Mahin of Hebron and 22 others referred to Committee on Public Health.

Resolution from Board of County Commissioners of Burleigh County referred to State Affairs Committee.

Resolution from County Commissioners' Association of the State of North Dakota referred to Committee on Federal Relations.

Resolution from County Commissioners' Association of the State of North Dakota referred to Committee on Highways and Bridges.

Resolution from County Commissioners' Association of the State of North Dakota, referred to Committee on Highways and Bridges.

Resolution from County Commissioners' Association of the State of North Dakota referred to Committee on Agriculture.

Resolution from County Commissioners' Association of the State of North Dakota, referred to Committee on Agriculture.

Resolution from County Commissioners' Association of the State of North Dakota referred to Committee on Public Health.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 25, 1937.

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

#### JOINT MEMORIAL RESOLUTION "A"

Which the Speaker has signed.

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Tweten moved that the Speaker decide and announce to which committees petitions, resolutions and communications be referred, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment to whom was referred engrossed

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Have examined the same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment have examined the following engrossed bills:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

Also,

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Re-

quiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

And find the same properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment to whom was referred:

HOUSE CONCURRENT RESOLUTION "E" Urging Congress to Provide Federal Funds for the Planting and Growing of Trees in North Dakota.

Also,

HOUSE CONCURRENT RESOLUTION "I" Providing for the Housing of a Dance on the First Floor of the Capitol Building in Commemoration of the Meeting of the Twenty-Fifth Legislative Assembly.

Have examined the same and find them properly enrolled and engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 25, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Also,

HOUSE CONCURRENT RESOLUTION "F"

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 25, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

HOUSE CONCURRENT RESOLUTION "E"

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

In original bill in Section 1, line 2, correct the spelling of "Physiotherapy".

In Section 1, line 5, correct the spelling of "Hydrotherapy".

In Section 1, line 7, correct the spelling of "Dietetics".

In Section 4, line 7, correct the spelling of "Dietetics".

In Section 4, line 8, correct the spelling of "Theory".

In Section 7, line 1, correct the spelling of "Disposition".

In Section 9, lines 1 to 4 inclusive, strike out everything after the word "Penalties" and insert the following: Any person not having at the time of so doing a valid unrevoked certificate issued to him by the Board of Naturopathic Examiners as provided in this Act who in any sign or any advertisement uses, in the State of North Dakota, the word or term "Naturopath", "Naturopathic Physician", "Dr. of Naturopathy", "Natural Healer" or "Napropath" with the intent of indicating or implying that he is a Naturopathic Physician shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for a term of not more than thirty days or by both such fine and imprisonment.

And when so amended recommend the same do pass.

L. C. ODEGARD,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 48. A Bill for an Act Providing for the Inspection of Lubricating Oils Transported Into the State or Offered for Sale Within the State, the Payment of an Inspection Fee of One Cent per Gallon on All Such Oil, the Labeling of Oil Containers and the Payment of Expenses Incurred in the Enforcement of This Act from the Fees Received.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 2. A Bill for an Act Providing for the Prevention of Nepotism and Prohibiting the Appointment by the Head of any Executive or Administrative Department of the State or by any County Officer, 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 or Officer, Declaring Such Appointment a Misdemeanor and Providing Penalties Therefor; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency to Exist.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted.

Mr. Kapaun made a substitute motion that Senate Bill No. 27 be placed on the calendar.

A roll call was demanded.

#### ROLL CALL

The question being on Mr. Kapaun's substitute motion, the roll was called and there were ayes, 51; nays, 55; absent and not voting, 7.



Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Ireland	Odegard
Black	Johnson	Oglesby
Blair	Jury	Olson, Bowman
Brown	Just	Olson, Sargent
Byrne	Kapaun	Page
Dalzell	Knudson, Steele	Peterson, Renville
Day	Kraus	Peterson, Richland
Dullea	LaBerge	Sandness
Fitch	Langford	Saumur
Frey	Leum	Shure, Cass
Gessner	Magill	Solberg
Gilberg	McInnes	Symington
Goodlaxon	Morland	Thompson
Graham	Morris	Trydahl
Holm	Nelson, Cass	Twichell
Holthusen	Nelson, Sargent	Wendland
Huseby	O'Brien	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Sand
Akland	Holmquist	Savre
Anderson	Hultstrand	Schauss
Anfinson	Jensen	Schimke
Beaton	Knutson, LaMoure	Semerad
Beggs	Krank	Severson
Benno	Levin	Shurr, Bottineau
Biberdorf	Livingston	Sticka
Bieloh	McIntee	Stray
Billigmeier	Myers	Thoreson
Bjornson	Niewoehner	Treffry
Brusseau	Obach	Tuff
Caddell	Olson, Adams	Tweten
Dittmer	Olson, McLean	Urschel
Frazier	Peterson, Bot'neau	White
Freitag	Pewe	Wick
Frosaker	Rait	Wolf
Hagen	Ritter	Mr. Speaker
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Jones	Seibel
Godwin	Norheim	Traynor
Greiser		

So the motion was lost.

Mr. Kapaun moved as a further substitute motion that Senate Bill No. 27 be referred back to the Ways and Means Committee for amendment, which motion prevailed.

House Resolution "D" was read and referred to the Committee on Banks and Banking.

## SIXTH ORDER OF BUSINESS

Mr. Morland reported for the Select Committee appointed to arrange a joint session that such joint session had been arranged and would be held at 10 o'clock a. m., Tuesday, January 26, 1937.

## EIGHTH ORDER OF BUSINESS

The Clerk announced that the Speaker was about to sign House Concurrent Resolution "I", and the Speaker signed the same in the presence of the House.

## FIRST READING OF HOUSE BILLS

Mr. Godwin introduced:

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

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

Mr. Godwin introduced:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

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

Messrs. Olson of Sargent and Nelson of Sargent introduced:

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Niewoehner and Goodlaxon introduced:

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of De-

linquent Personal Property Taxes and Prescribing the Duties of the County Treasurer and Sheriff in Connection With the Collection Thereof.

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

#### FIFTH ORDER OF BUSINESS

##### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment to whom was referred:

HOUSE CONCURRENT RESOLUTION "H", A Concurrent Resolution Providing and Designating House and Senate Employees and Naming and Fixing Their Salaries.

Have examined the same and find it properly engrossed and enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign House Concurrent Resolution "H", and the Speaker signed the same in the presence of the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, 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, 89; nays, 16; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Beggs	Kapaun	Sand
Benno	Knudson, Steele	Sandness

Messrs.	Messrs.	Messrs.
Biberdorf	Knutson, LaMoure	Saumur
Billigmeier	Krank	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Treffry
Freitag	Nelson, Cass	Tweten
Frey	Nelson, Sargent	Urschel
Frosaker	Niewoehner	Wendland
Gessner	Obach	White
Goodlaxon	O'Brien	Wick
Graham	Odegard	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Savre
Blair	Just	Shure, Cass
Byrne	Langford	Trydahl
Gilberg	Oglesby	Tuff
Holm	Olson, Adams	Twichell
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Jones	Seibel
Godwin	Norheim	Traynor
Greiser	Olson, McLean	

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

Mr. Fitch moved that Senate Bill No. 1 be re-referred to the Insurance Committee.

Which motion prevailed.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Revised Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common 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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Saumur
Bieloh	Knutson, LaMoure	Savre
Billigmeier	Krank	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Semerad
Blair	Langford	Severson
Brown	Leum	Shure, Cass
Brusseau	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	Magill	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Niewoehner	Treffry
Freitag	Nelson, Cass	Trydahl
Frey	Nelson, Sargent	Tuff
Frosaker	Obach	Tweten
Gilberg	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Greiser	Norheim
Frazier	Jones	Seibel
Gessner	Morland	Traynor
Godwin		

So the bill passed and the title was agreed to.

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

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, 102; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schauss
Black	LaBerge	Schimke
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	Magill	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gilberg	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Wolf
Holmquist	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Greiser	Norheim
Frazier	Jones	Seibel
Gessner	Knudson, Steele	Traynor
Godwin		

So the bill passed and the title was agreed to.

Mr. Freitag: "I wish to state the reasons as to my vote on these oil bills, and I want my explanation printed in the Jour-

nal. I intend to vote for this bill for the reason that we have a change in the personnel in the Board of University and School Lands of the State of North Dakota, and the reason that I wanted a change in that personnel is that Carl Lewis holds a lease on the school lands covering oil lands in the southwestern part of the state, and that he acquired those leases without a competitive bid, and I believe those leases should be on a competitive bid as well as a grazing lease. But inasmuch as the personnel on the University and School Lands Board has changed, I vote 'aye.'"

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

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, 102; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Semerad
Brown	LaBerge	Severson
Brusseau	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Freitag	Nelson, Cass	Treffry

Messrs.	Messrs.	Messrs.
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Magill	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Greiser	Norheim
Frazier	Jones	Seibel
Godwin	Levin	Traynor

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

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

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, 104; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg



Messrs.	Messrs.	Messrs.
Day	Magill	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Niewoehner	Tweten
Gilberg	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Wolf
Holm	Olson, McLean	Mr. Speaker
Holmquist	Olson, Sargent	

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Greiser	Seibel
Byrne	Jones	Traynor
Godwin	Norheim	

So the bill passed and the title was agreed to.

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation 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, 72; nays, 29; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Peterson, Richland
Akland	Jury	Pewe

Messrs.	Messrs.	Messrs.
Anderson	Kapaun	Ritter
Anfinson	Knudson, Steele	Sand
Beaton	Knutson, LaMoure	Sandness
Benno	Kraus	Saumur
Biberdorf	LaBerge	Schauss
Billigmeier	Langford	Severson
Bjornson	Leum	Shurr, Bottineau
Black	Livingston	Solberg
Brown	Magill	Sticka
Brusseau	McInnes	Stray
Caddell	McIntee	Symington
Day	Morland	Thoreson
Frosaker	Myers	Treffry
Gilberg	Nelson, Sargent	Trydahl
Hagen	O'Brien	Tuff
Haines	Odegard	Tweten
Hofstrand	Oglesby	Urschel
Holmquist	Olson, Adams	Wendland
Holthusen	Olson, Bowman	White
Hultstrand	Olson, Sargent	Wick
Huseby	Peterson, Bot'neau	Wolf
Ireland	Peterson, Renville	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Goodlaxon	Page
Beggs	Holm	Rait
Bieloh	Jensen	Savre
Blair	Just	Schimke
Byrne	Krank	Semerad
Dalzell	Levin	Shure, Cass
Dullea	Morris	Thompson
Fitch	Niewoehner	Twichell
Freitag	Obach	Williams
Frey	Olson, McLean	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Godwin	Nelson, Cass
Dittmer	Graham	Norheim
Frazier	Greiser	Seibel
Gessner	Jones	Traynor

So the bill passed and the title was agreed to.

#### FOURTH ORDER OF BUSINESS

The House received a communication from the Welfare Board.

Mr. Twichell moved that the communication from the Welfare Board be referred to the proper committee, the committee to determine whether or not the communication shall be printed in the Journal.

Which motion prevailed.

The attention of the House was called to House Resolution

"C" as printed in the Journal on page 161, which Resolution provided among other things for publication of the said communication in the Journal.

Mr. Twichell then stated that the action of the House on House Resolution "C" would prevail, and it was so ordered.

Bismarck, North Dakota,  
January 23, 1937.

To: The House of Representatives, Twenty-Fifth Legislative Assembly of North Dakota, Bismarck, North Dakota.

From: E. A. Willson, Executive Director, Public Welfare Board of North Dakota.

In compliance with House Resolution "C," I am submitting a statement relative to administrative costs of relief in North Dakota, together with a detailed statement of the salaries paid each person employed by the Public Welfare Board during the month of December, 1936, and during the first half of January, 1937.

House Resolution "C" also asks for such other information as is necessary for a complete understanding of the cost of welfare administration in North Dakota. In order that there may be a complete understanding relative to the cost of relief and welfare administration in this State, a review of the duties and activities of State and County Welfare Boards seems necessary. A very large part of the activities of both State and County Welfare Boards has been in connection with the Federal Relief Programs operating in North Dakota. Part of the price the State pays for Federal assistance is to provide the machinery and pay the cost of determining eligibility of relief applicants to receive Federal Assistance. A comparison of the cost of administration with the total amount of relief distributed through State and County Welfare Boards from State and County funds is altogether misleading, because a large part of the administrative cost of both State and County Welfare Boards covers services required by the Federal government in connection with the various Federal relief programs.

State and County Welfare Boards are charged with the duty of determining eligibility for Federal assistance under rules prescribed by the various Federal relief agencies and of certifying eligible persons to the Works Progress Administration, National Youth Administration, Resettlement Administration and the Civilian Conservation Corps. Approximately 45% of the people of North Dakota have been receiving assistance through one or more of the various Federal programs during recent months. The determination of eligibility of each relief case included in this total was made through the present State and County Welfare Board organization. A large part of the work of the Executive Director of the Public Welfare Board and of the Finance Division and the General Relief Division has been in connection with the supervision of county agencies, so that each county wel-

fare board would comply with rules and regulations of the various Federal agencies.

The total relief expenditures and administrative expenses of State and County Welfare Boards during the calendar year 1936 are set forth in the following table:

**RELIEF EXPENDITURES OF STATE AND COUNTY WELFARE BOARDS IN CALENDAR YEAR 1936**

General Relief .....	\$2,502,296
Old Age Assistance .....	541,092
State Transients .....	7,079
<b>Total .....</b>	<b>\$3,050,467</b>
<b>Administrative Costs—</b>	
State Office .....	\$ 57,804
District Offices .....	19,585
County Welfare Boards .....	416,178
<b>Total .....</b>	<b>493,567</b>
<b>TOTAL EXPENDITURES .....</b>	<b>\$3,544,034</b>
<b>Ratio of administrative costs to total expenditures—</b>	
State Office .....	1.63%
District Offices .....	0.55%
County Offices .....	11.75%

This table shows that total expenditures during the year were \$3,544,034, and that of this total \$3,050,467 was expended for relief and \$493,567 for expense of administration in State, District, and County offices. Expenditures for general relief and expenses of administration include \$1,176,386 contributed by the Federal government, and for Old Age Assistance include \$283,045 contributed by the Federal government. Thus, a total of \$1,459,431 or 41.18% of all relief expenditures of State and County Welfare Boards were from Federal funds. The balance of \$2,084,603 included \$871,416 expended from State funds and \$1,213,187 from county funds.

Administrative costs included the cost of determining the eligibility of all persons who received Federal assistance during 1936 through the various Federal relief programs. Consequently, such cost should not be compared with the amount of direct relief given by State and County agencies. The total public assistance given through the combined agencies of Federal, State, and County governments and amounting to over \$39,000,000 per year should be considered.

**GENERAL RELIEF DIVISION OF PUBLIC WELFARE BOARD**

The Public Welfare Board and the County Welfare Boards were designated by the Works Progress Administration, the National Youth Administration and the Resettlement Administration as bureaus of intake and certification

to investigate the needs of unemployed town and city workers, unemployed youths and drouth stricken farmers, and certify to these agencies persons eligible for work or relief grants under the specific programs of those agencies. The General Relief Division of the Public Welfare Board is made responsible for transmitting and interpreting the rules and regulations of these Federal agencies to the various County Welfare Boards. This division is charged with the responsibility of seeing that qualified workers are employed in the various county welfare offices to insure certification in accordance with the regulations of the Federal agencies, thereby insuring uniformity throughout the State in making investigations and certifications.

All complaints relative to general relief are handled by this division, either through contacting Federal relief agencies or county welfare boards.

The Division of General Relief acts as a forwarding center for all out-of-state and out-of-county inquiries. It locates the legal residence and arranges for the transfer to the State or County of legal residence of all persons who become stranded and apply for assistance. Through this service the Public Welfare Board works in cooperation with practically every welfare agency in the United States.

Civilian Conservation Corps—The

**CIVILIAN CONSERVATION CORPS**—The Executive Director of the Public Welfare Board was designated as the State Selecting Officer for North Dakota by the United States Secretary of Labor in February, 1936, for the selection of Civilian Conservation enrollees. The Board authorized the Executive Director to accept this responsibility.

The requirement of a relief status as a prerequisite for selection and the policy of requiring allotments of pay to dependents of enrollees necessitates the services of State and County agencies equipped and qualified to perform the work of investigation and selection of applicants.

The selection of CCC boys in each county is performed by the County Welfare Board or by the Executive Secretary of the Board. Selection is governed by relief needs of the applicant's family, preference being given to families in most need of public assistance. The work of selection necessitates a satisfactory case record of the family or a visit to the homes of the boys who have made applications. Frequent changes in allotments become necessary after enrollment. Replacement quotas must be filled as enrollees are discharged.

As allotments of CCC boys are made to North Dakota from time to time, quotas are given to various counties on the basis of relief population and available eligible enrollees in the several counties. From June, 1935, to November, 1936, a total of 9,944 were enrolled in CCC camps. The family of each enrollee receives an allotment of \$25.00 per month.

The enrollee receives \$5.00 for his personal needs. The enrollees are provided with transportation, shelter, board, clothing, medical and dental care. Total payments in 1936 to families of CCC enrollees from North Dakota amount to approximately \$1,400,000.

A complete record of every enrollee selected in the State is kept by the Public Welfare Board. This work requires one full time employee and approximately one-third of the time of one Field Representative, also extensive files and records, a large volume of correspondence and rather heavy postage, telegraph, and telephone expense. All of the administrative cost of selecting CCC enrollees, including transportation to point of enlistment, is borne by either the state or County Welfare Boards.

**SURPLUS COMMODITY DISTRIBUTION**—The Federal Surplus Commodities Corporation donates to the various states the commodities purchased by the Federal government for distribution for relief purposes. The Works Progress Administration has a state-wide project providing all the labor necessary for the care, record-keeping, and for actual distribution. The Public Welfare Board and the County Welfare Boards were designated by the Federal Surplus Commodities Corporation as the State and county agencies charged with the responsibility of determining who is eligible to receive these supplies. The commodities are shipped to distributing points in the state under government bill of lading without cost to the state, but the cost of transportation from these distributing points to the county and from the county seat to the various points within the county is borne by the Public Welfare Board and the County Welfare Boards. The Public Welfare Board pays for containers and other expenses incident to the handling of commodities.

In addition to the food products allocated by the Surplus Commodities Corporation, the clothing and other articles made by the WPA sewing units are included in the surplus commodity supply for distribution to the relief clients.

The Public Welfare Board of North Dakota is the general sponsor of surplus commodity distribution. The Board furnishes the State Director of Surplus Commodity Distribution with telephone service, telegraph service, postage, stationery, and other supplies. The Board has made rather large expenditures for transportation of surplus commodities, for the purchase of material, and the processing of material. The value of surplus commodities distributed in 1936 through State and County welfare boards was \$1,179,097.

**NORTH DAKOTA FARMER'S MUTUAL AID CORPORATION**—Because funds available to county welfare boards were insufficient to enable such boards to provide emergency medical care for the large number of relief clients resulting from the 1936 drouth, the Public Welfare Board appealed to the Rural Resettlement Administration to devise plans to care for emergency medical service for drouth relief clients, as emergency medical care was not provided for

under the drouth relief program. As a result of this appeal, the Rural Resettlement Administration organized the North Dakota Farmer's Mutual Aid Corporation to provide medical care for Resettlement grant clients by making loans to such clients. In order to initiate the program, the Rural Resettlement Administration loaned \$50,000 to the North Dakota Farmer's Mutual Aid Corporation. The Public Welfare Board assisted in the organization of the corporation and the Executive Director of the Board was named a member of the Board of Directors of the Corporation. The Public Welfare Board is furnishing blank forms and clerical assistance in the handling of this activity. This is justified by reason of the fact that the plan is relieving the county governments of heavy medical costs which they are unable to finance.

#### DIVISION OF ACCOUNTING, FINANCE AND REPORTS

The Division of Accounting, Finance and Reports of the Public Welfare Board is responsible for auditing, certifying for payment, and keeping proper records of all disbursements from both State and Federal funds in connection with general relief or assistance under the Social Security Program. Included in this division are the following—

- (a) A Disbursing Office, which writes all checks for Old Age Assistance or other assistance, all FERA liquidation disbursements and all disbursements of the Public Welfare Board from Federal grants.
- (b) An Audit Section, which audits all bills and accounts before payment.
- (c) A Reporting Section, which makes monthly reports to the Federal Emergency Administration, relative to expenditure of Federal funds and relative to expenditure of Federal, State and County funds for general relief. This section also makes monthly reports to the Social Security Board relative to Old Age Assistance and relative to other Social Security Programs.

The Division of Accounting, Finance and Reports acts in the capacity of business agent for the General Relief Division, Old Age Assistance Division, and Child Welfare Division. The Division maintains the records and accounts of each of these other divisions and makes all statistical reports required by the Federal Government and by the Public Welfare Board, and handles all research surveys. The division is also responsible for all activities in connection with the liquidation of the FERA.

#### DISTRICT OFFICES

Chapter 123 of the Laws of 1935, requires the Public Welfare Board to supervise the administration of such relief and welfare activities in each county as may be financed in whole or in part, by or with funds allocated or distributed by the Public Welfare Board.

**FIELD REPRESENTATIVE.** In carrying out this Legislative mandate the Public Welfare Board has divided the State into four districts and appointed a field representative of the Board for each district. These Field Representatives supervise and assist county welfare boards in the handling of general relief activities and in the handling of relief activities carried on in cooperation with the Federal government under the Social Security Act. These Field Representatives provide a connecting link between the State and County Welfare Offices and enable the Public Welfare Board to keep in constant touch with relief problems in the various parts of the State. One of their most important duties is to secure a uniform interpretation and execution of the policies established by the Public Welfare Board; a uniform and correct interpretation of rules and regulations promulgated by the various Federal relief agencies, relative to the investigation and certification of persons requesting work relief or other Federal aid; and to secure uniform interpretation and execution of the rules and regulations promulgated by the Social Security Board in connection with the various Social Security Programs.

**FIELD AUDITORS.** It is the duty of the Public Welfare Board in supervising the administration of relief in the counties to ascertain whether State and Federal funds distributed to counties through the Public Welfare Board are being spent in conformity with State law or Federal regulations and for the purposes for which the funds were made available. In order to carry out this duty, imposed by the Legislature, the State has been divided into four districts and a field auditor appointed for each district. Field Auditors have supervision over all bookkeeping and accounting in County Welfare Board Offices and are required to verify the accuracy of all book records and of all reports made to the State Office. Each Field Auditor is responsible for the supervision and control of financial and business activities of County Welfare Boards to such extent as is necessary to secure conformity with State law or Federal regulations. Audit reports covering all financial transactions of County Welfare Boards are submitted to the State Office, monthly, for each county in the State.

Field Representatives are under the direct supervision of the Executive Director and Field Auditors are under the direct supervision of the Supervisor of the Division of Accounting, Finance and Reports of the Public Welfare Board.

#### FERA LIQUIDATION

When the FERA was discontinued on December 15, 1935, Mr. Hopkins, the Federal Emergency Relief Administrator, granted \$2,766,149.57 to North Dakota and as a condition precedent to receiving these funds the State was required to liquidate FERA with the further understanding that the State might use for general relief purposes any balances remaining from this grant after all FERA obligations were liquidated and all reports required by the FERA completed. Pursuant to this agreement with the Federal Emergency



Relief Administration, the funds were turned over to the Public Welfare Board and the Board must pay all outstanding FERA obligations, complete all records, and submit such reports as the FERA may require. It was agreed that the Public Welfare Board would pay out of this Federal grant the administrative cost of completing these records and reports, and would also reimburse the United States Treasurer for any FERA expenditures to which the General Accounting Office might take exception.

The personnel employed in the liquidation of FERA has been reduced and administrative expenditures decreased as rapidly as possible, in order that a maximum amount of Federal funds might be available for relief purposes.

In addition to the payment of outstanding obligations, (thousands of relief orders and other bills) the FERA required reports covering 6,031 work projects which were conducted in the State by the FERA, including detailed breakdown of relief and non-relief labor costs, material expenditures by FERA and by local sponsors for each project.

Federal funds expended for relief purposes in North Dakota, under the FERA, during the period 1933 to 1935, inclusive, totaled \$24,856,991. It has been necessary in meeting the obligation placed upon the Public Welfare Board to carefully file and index the records covering the expenditures of this vast sum so that any item can be found quickly and all records audited without difficulty.

At the present time, eight persons are employed on the FERA liquidation payroll. Several of these people are working on the project reports. The others are checking and filing records and auditing for payment relief orders and other FERA bills which are still received every day.

Much of the time of the Executive Director and several other employees of the Public Welfare Board, who alone are familiar with the details of the FERA, is required in connection with FERA liquidation activities.

Of the FERA grant of \$2,766,049.57, \$1,354,179.02 has been expended for FERA liquidation up to December 31, 1937, \$1,315,575.78 has been expended by the Public Welfare Board, of which \$1,240,017 has been granted to the counties for general relief. The balance in the FERA fund on December 31 amounted to \$99,992.27, of which \$40,728.49 remained in the account of estimated outstanding commitments including cost of administration, and \$49,738.27 in the account set up to take care of general accounting office exceptions, leaving a balance of \$9,525.51. A detailed report of all expenditures, and a list of all persons employed in connection with FERA liquidation, and total payments to each person from December 15, 1935, to October 31, 1936, are shown in a recent audit report of the Public Welfare Board made by the State Bank Examiner, at the request of the Board. This report also gives a detailed statement of expenditures made by the Public Welfare Board from State

funds for general relief and for welfare activities, in connection with the Social Security Programs.

### THE SOCIAL SECURITY PROGRAMS

The Federal Social Security Act, approved in August, 1935, provides for a coordinated State-Federal plan of giving public assistance to the needy aged, needy blind, and to dependent children, for unemployment compensation and old age benefits; and for grants to States for maternal and child health services, services for crippled children, child-welfare services, vocational rehabilitation and public health services.

North Dakota has acquired for its citizens eligibility for the following benefits under the Social Security Act—

- Assistance to the needy aged
- Assistance to the needy blind
- Services for crippled children
- Child-welfare services
- Maternal and child health services
- Vocational rehabilitation
- Public health services

The Old Age Assistance Program, Aid to the Needy Blind, the Child Welfare Services Program, and the Program for Services to Crippled Children are under the supervision of the Public Welfare Board. State plans for each of these programs were submitted to the Social Security Board at Washington, and were approved. Due to conflicts in the State Mother's Pension Law with the requirements of the Social Security Act relative to Aid to Dependent Children, no plan has yet been worked out that would enable the State to secure Federal grants for Aid to Dependent Children.

**THE OLD AGE ASSISTANCE PROGRAM**—The Old Age Assistance Program was approved on March 21, 1936, and was put into operation in April. The North Dakota Plan for Old Age Assistance provides for a maximum allowance of \$30.00 per month for recipients of Old Age Assistance. 50% of the cost of direct assistance grants is paid by the Federal government, 25% by the State, and 25% by the counties of North Dakota.

Since the Old Age Assistance Program was started, 8,985 applications for assistance have been received by the Public Welfare Board, of which 6,767 were approved. On December 31, 1936, 6,370 persons or approximately 20% of all of the residents of North Dakota who are 65 years of age or over, were receiving Old Age Assistance. During December, 1936, the average payment, per person, per month, was \$15.84. Total payments to Old Age Assistance recipients from May

through December amounted to \$541,092. December payments amounted to \$99,902.

The Federal government pays fifty per cent of the cost of Old Age Assistance but limits its payments to \$15.00 per person, per month. It also makes a grant to the State for administrative purposes of an amount equal to five per cent of the Federal payment.

All the work of taking applications, making investigations and recommending disposition of applications is done in the county offices. Final disposition of each case, however, is made in the State agency. The report submitted by the county welfare board is carefully reviewed by caseworkers in the Old Age Assistance and Blind Division. This review has been proven to be advisable for several reasons: (1) it has promoted uniform consideration of applications in the various counties of the state, (2) it has served as a safeguard against the issuance of assistance which was not needed, or in amounts in excess of the amount needed, and (3) it has prevented the allowance of expenses in budgetary figures, for which Federal funds may not be used.

Much time is given to the consideration and the answering of letters of inquiry and complaint. Many aged persons find it difficult to understand the provisions of the Old Age Assistance plan and it is felt that these letters are entitled to receive careful and sympathetic thought so that definite and understandable information may be given.

Because of the fact that the relief needs of approximately 7,300 persons, who were approved for payment of the 1933 Old Age Pension, must also be considered to determine eligibility or ineligibility for Old Age Assistance, and because of the initial cost of providing forms necessary for the administration of the program and of setting up suitable book-keeping, filing and statistical records for the required reporting of activities in Old Age Assistance, the administrative cost in the early part of the program was high. When the program has been established on a normal basis, a reduction in administrative cost will naturally result.

The value of proper administration and careful investigation in connection with relief activities is definitely shown in the Old Age Assistance program. For instance, since the initiation of the program, 2,036 of the persons who made application have been determined to be ineligible. The average life expectancy of all persons in North Dakota, who are 65 years of age or more, is estimated at seven years. If these 2,036 persons had been granted Old Age Assistance at an average monthly payment of \$16.00, it would have resulted in an unnecessary expenditure of public funds amounting to \$390,912 per year, or a total of \$2,736,384 for the seven year period of life expectancy.

**AID TO THE BLIND**—The State Plan for Aid to the Blind was approved on November 9, 1936. One-half of the cost of Aid to the Blind is borne by the Public Welfare Board out of the Sales Tax fund and one-half is paid from

Federal funds granted by the Social Security Board. County participation is confined to payment of local administrative cost within each county.

The procedure in the Aid to the Blind program is almost identical with the procedure described under Old Age Assistance. Aid to the Blind is administered by the same county and state personnel that handles Old Age Assistance. No additional employees are necessary.

### CHILD WELFARE

North Dakota's child welfare programs for which money was allocated to the Public Welfare Board last fall are now in full operation. There are two distinct child welfare programs—The Child Welfare Services Program, and the Services to Crippled Children Program.

**CHILD WELFARE SERVICES**—The Child Welfare Services Plan for North Dakota was approved October 21, 1936, by the United States Children's Bureau. The plan provides for the employment of nine child welfare workers in the various judicial districts of the State. Six of these workers have now been placed. It is their duty to assist juvenile court commissioners, county welfare offices, and schools, in handling problems of dependency and neglect among children. These workers will aid in unifying and coordinating all child welfare activities for the prevention of future dependency and delinquency. The entire cost of this program is borne by the Federal government. These employees appear on the payroll of the Public Welfare Board but are paid entirely from Federal funds given to the State for that specific purpose. The present monthly payroll for this program is \$750.

**CRIPPLED CHILDREN PROGRAM**—A State Plan for Services to Crippled Children was approved by the Social Security Board on November 25, 1936, and is now in active operation. This plan involves the giving of medical care and other services for crippled children throughout North Dakota. Under this plan through the cooperation of the Federal government, the State will be able to greatly expand services and facilities for crippled children and for children suffering from conditions which lead to crippling. According to a recent survey made by the State Nursing Service under the State Department of Health, it is estimated that there are approximately 2,000 physically handicapped children in the State needing medical care.

Under the Crippled Children Program the State is required to match Federal Grants on a dollar for dollar basis. In order to consolidate child welfare activities and secure the maximum amount of Federal aid the Board of Administration and the Public Welfare Board agreed to consolidate the activities of the State Children's Bureau under the Board of Administration with the Child Welfare Division of the Public Welfare Board.

The Public Welfare Board made a grant of \$9,900.00 for

Services to Crippled Children, and the Board of Administration set aside \$1,828.00 from their Children's Bureau appropriation for the same purpose in order to secure Federal cooperation and participation in the program. The Federal government has provided \$11,728.00 to match these State funds, in accordance with the provisions of the Social Security Act. Thus, there is available for Services for Crippled Children, a total of \$23,456.00 for the period ending June 30, 1937.

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The preparation of the various State Plans approved under the Social Security Act has required a great deal of work in cooperation with representatives of the Social Security Board. All of the initial cost before final approval of each plan was paid from Public Welfare Board Funds.

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On January 15, 1937, 69 persons were in the employ of the Public Welfare Board. Nine of these persons were employed in FERA liquidation and were paid from Federal funds; seven were employed in the Child Welfare Services Division and were being paid entirely from Federal funds specifically granted to North Dakota for such purposes; eight were employed in district offices. This leaves a balance of 45 who were employed in the State office of the Public Welfare Board and paid partly from State and partly from Federal funds. Twenty-one were employed in the Old Age Assistance Division, the balance being employed by the General Relief Division, Services to Crippled Children Division and the Accounting, Finance and Reports Division.

The Public Welfare Board receives \$2,500 per month from the Social Security Board to pay part of the administration cost of Old Age Assistance. This amount exceeds the total cost of administration in the State office.

A detailed list of persons employed by the Public Welfare Board in December, 1936, and the first half of January, 1937, together with the average number of hours worked per week, the amount of salary received, and the term of employment of each is shown in the attached tables.

Respectfully submitted,

E. A. WILLSON,  
Public Welfare Board.

**PERSONNEL EMPLOYED AND SALARIES PAID IN STATE OFFICE OF THE PUBLIC WELFARE BOARD  
OF NORTH DAKOTA DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937**

DIVISION	Rate of Salary	Av. Hrs. Worked per Week (1)	Amt. Rec'd Dec. 1-31, 1936	Amt. Rec'd Jan. 1-15, 1937	Term of Employment	
					Date Employed	Date Released
<b>GENERAL ADMINISTRATIVE:</b>						
Willson, E. A., Executive Director.....	\$ 416.67	58	\$416.67	\$208.33	Dec. 15, 1935	
Andrews, Sam, Supply Clerk .....	115.00	38	115.00	57.50	Dec. 1, 1936	
Coghlan, Lucille, Stenographer .....	100.00	44	100.00	50.00	Nov. 25, 1936	
Fox, Clara, Stenographer .....	78.00	48	78.00	39.00	Dec. 15, 1935	
Grosgebauer, Wm. (2), Mail Clerk, (for Salary and Car) .....	105.00	45	105.00	52.50	Dec. 15, 1935	Jan. 31, 1937
Perius, Clarence, Janitor .....	90.00	38	90.00	.....	Dec. 15, 1935	Dec. 31, 1936
Roche, Viletta, Secretary to Ex. Director..	182.00	62	182.00	91.00	Dec. 15, 1935	
<b>ACCOUNTING, FINANCE AND REPORTS:</b>						
Baker, L. A., Supervisor .....	250.00	55	250.00	125.00	Oct. 15, 1935	
Gammons, Florence, Auditor .....	152.00	44	152.00	76.00	Dec. 15, 1935	
Glaser, Raphael (3), Special Assistant....	25.00	Wk.38	75.00	32.14	Dec. 8, 1936	Jan. 9, 1937
Hample, G. A., Bookkeeper .....	125.00	38	125.00	62.50	May 15, 1936	
Johnson, Ella (4), Statistician .....	90.00	38	90.00	45.00	Dec. 15, 1935	
Mandt, Emma, Statistician .....	110.00	40	110.00	55.00	May 4, 1936	
Olson, Stella, Stenographer .....	110.00	38	110.00	55.00	Dec. 15, 1935	Jan. 31, 1937
Schulz, Ethel, Stenographer .....	100.00	44	100.00	50.00	Oct. 1, 1935	

(Continued on next page)

MONDAY, JANUARY 25, 1937

PERSONNEL EMPLOYED AND SALARIES PAID IN STATE OFFICE OF THE PUBLIC WELFARE BOARD  
OF NORTH DAKOTA DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937  
(Continued from page 221)

DIVISION	Rate of Salary	Av. Hrs. Worked	Amt. Rec'd Dec.	Amt. Rec'd Jan.	Term of Employment	
		per Week (1)	1-31, 1936	1-15, 1937	Date Employed	Date Released
<b>GENERAL RELIEF:</b>						
Hjerpe, Clara C., Supervisor .....	166.67	50	166.67	83.33	April 6, 1936	
Blackorby, Ellen, Stenographer .....	90.00	40	90.00	45.00	Dec. 15, 1935	
Daschle, Agatha, Stenographer .....	80.00	40	80.00	40.00	Dec. 15, 1935	
Homan, Colette, Stenographer .....	90.00	44	90.00	45.00	Dec. 15, 1935	
Huber, Christine, CCC Enrollment Asst...	122.00	42	122.00	61.00	Dec. 15, 1935	
Kann, Virginia, Case Worker .....	75.00	50	75.00	37.50	Nov. 23, 1936	
Taylor, Margery (5), Case Record File Clerk .....	80.00	40	80.00	40.00	Dec. 15, 1935	
Tillotson, Catherine, File Clerk .....	65.00	38	65.00	32.50	Aug. 15, 1936	
Whitney, Peggy, Typist .....	65.00	38	65.00	32.50	Sept. 16, 1936	

(1)—The usual hours of work required in most State offices are 38 hours per week.

(2)—\$35.00 reimbursed by PWA.

(3)—Raphael Glaser was not an employee of the Public Welfare Board but was employed by the State Bank Examiner and paid by the Public Welfare Board so that an audit of the Public Welfare Board could be made by the State Examiner prior to the convening of the Legislative Assembly. The State Examiner represented to the Public Welfare Board that he was without funds to hire sufficient auditors to do work required of his office.

(4)—Ella Johnson was released on August 22, 1936, from FERA Liquidation and rehired on November 1, 1936, in Accounting, Finance and Reports Division.

(5)—Margery Taylor was released on April 15, 1936, and rehired on August 31, 1936.

PERSONNEL EMPLOYED AND SALARIES PAID IN STATE OFFICE OF THE PUBLIC WELFARE BOARD OF NORTH DAKOTA DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937—(Continued)

DIVISION	Rate of Salary	Av. Hrs. Worked per Week (1)	Amt. Rec'd Dec. 1936	Amt. Rec'd Jan. 1937	Term of Employment	
					Date Employed	Date Released
<b>OLD AGE ASSISTANCE:</b>						
Nicholson, L. I., Supervisor .....	\$225.00	62	\$225.00	\$112.50	April 5, 1936	
Aune, Ruth, Typist .....	70.00	40	70.00	35.00	Dec. 15, 1935	
Barlow, Frances, Typist .....	70.00	38	70.00	35.00	Dec. 15, 1935	
Bischof, Dora, Clerk .....	80.00	40	80.00	40.00	Dec. 15, 1935	
Edwards, Mary, Check Writer .....	85.00	42	85.00	42.50	Dec. 15, 1935	
Hauser, F. C., Disbursing Officer .....	200.00	45	200.00	100.00	Dec. 15, 1935	
Hugelman, Robert, Clerk .....	85.00	38	85.00	42.50	Dec. 15, 1935	
Imus, Susie, Clerk .....	75.00	42	75.00	37.50	Dec. 15, 1935	
Larson, Alice, Typist .....	70.00	40	70.00	35.00	May 5, 1936	
Lierboe, Josephine, Clerk .....	80.00	45	80.00	40.00	June 17, 1936	
Mogstad, Helen, Statistician .....	100.00	45	100.00	50.00	Dec. 15, 1935	
Nack, G. W., Supply Clerk .....	80.00	38	80.00	40.00	Dec. 15, 1935	Jan. 15, 1937
Norton, Mary, Case Worker .....	115.00	45	115.00	57.50	May 27, 1936	
Olson, Phyllis, Typist .....	70.00	45	70.00	35.00	June 12, 1936	
Owens, William, Bookkeeper .....	110.00	42	110.00	55.00	Dec. 15, 1935	
Rice, Ardis, Supervisor, Case Workers.....	135.00	45	135.00	67.50	Aug. 24, 1936	
Smith, Dorothy, Case Worker .....	100.00	40	100.00	50.00	May 21, 1936	
Towne, Mary, Case Worker .....	100.00	40	100.00	50.00	Oct. 15, 1936	
Voelzke, Tabitha, Stenographer .....	90.00	50	90.00	45.00	June 15, 1936	
Ward, H. M., Clerk .....	90.00	40	90.00	45.00	Dec. 15, 1935	
Welch, Harold, Clerk .....	90.00	40	90.00	45.00	Dec. 15, 1935	

(1)—The usual number of hours of work required in most State Offices is 38 hours per week.



**PERSONNEL EMPLOYED AND SALARIES PAID IN STATE OFFICE OF THE PUBLIC WELFARE BOARD OF NORTH DAKOTA DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937—(Continued)**

DIVISION	Rate of Salary	Av. Hrs. Worked	Amt. Rec'd	Amt. Rec'd	Term of Employment	
		per Week (1)	Dec. 1-31, 1936	Jan. 1-15, 1937	Date Employed	Date Released
<b>CHILD WELFARE SERVICES:</b>						
Note: Entire expense of Child Welfare Services is paid by the Federal Government. Salaries shown under Child Welfare Services are not paid from State monies but are paid by the Public Welfare Board from Federal grants for that specific purpose.						
Allen, Theodora (2), Supervisor .....	\$ 75.00	50	\$ 75.00	\$ 37.50	Sept. 1, 1936	
Bissonnette, Louise, Case Worker .....	125.00	45	125.00	62.50	Nov. 30, 1936	
Domrese, Walter, Case Worker .....	125.00	45	125.00	62.50	Nov. 24, 1936	
Gallahan, Ruth, Stenographer .....	50.00	38	45.83	25.00	Dec. 3, 1936	
Garberg, Virginia, Case Worker .....	115.00	45	.....	19.17	Jan. 11, 1936	
Guenther, Louise, Case Worker .....	125.00	45	70.83	62.50	Dec. 14, 1936	
Warfield, Leone, Stenographer .....	12.00	Wk.38	10.00	.....	Nov. 15, 1936	Dec. 6, 1936
Wold, Marion, Case Worker .....	135.00	45	.....	51.75	Jan. 4, 1937	
<b>SERVICES TO CRIPPLED CHILDREN:</b>						
Allen, Theodora, Supervisor .....	None		None	None	Sept. 1, 1936	
Knudson, Beulah, Stenographer .....	60.00	38	60.00	30.00	Nov. 1, 1936	
Lowry, Jessica, Assistant Supervisor.....	125.00	40	78.12	.....	Sept. 28, 1936	Dec. 18, 1936

(1)—The usual number of hours of work required in most State Offices is 38 hours per week.  
 (2)—One-half of the salary of Supervisor of Child Welfare Division is paid by State Board of Administration.

**PERSONNEL EMPLOYED AND SALARIES PAID IN DISTRICT OFFICES OF THE PUBLIC WELFARE BOARD  
OF NORTH DAKOTA DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937**

DIVISION	Rate of Salary	Av. Hrs. Worked per Week (1)	Amt. Rec'd Dec. 1936	Amt. Rec'd Jan. 1-15, 1937	Term of Employment	
					Date Employed	Date Released
<b>DISTRICT OFFICES:</b>						
Gullickson, G. L., Field Auditor .....	\$140.00	45	\$140.00	\$ 70.00	Dec. 10, 1935	
Holmes, R. J., Field Auditor .....	140.00	45	140.00	70.00	Dec. 15, 1935	
Larsen, P. L., Field Auditor .....	140.00	45	140.00	70.00	Dec. 15, 1935	
Larson, Nels J., Field Auditor .....	140.00	45	140.00	51.33	Dec. 15, 1935	Jan. 11, 1937
Mathews, Christy, Field Auditor .....	140.00	45	140.00	70.00	Dec. 15, 1935	
Cooper, Nell, Field Representative .....	150.00	45	150.00	75.00	Dec. 15, 1935	
Jones, Marycarol, Field Representative....	150.00	45	150.00	75.00	Dec. 15, 1935	
Onsrud, Carlyle D., Field Representative..	150.00	45	150.00	75.00	Apr. 21, 1936	
Williams, John E., Field Representative and CCC Enrollment Officer .....	175.00	45	175.00	87.50	Dec. 15, 1935	

(1)—The usual number of hours of work required in most State offices is 38 hours per week.

MONDAY, JANUARY 25, 1937

F.E.R.A LIQUIDATION PAYROLL DURING DECEMBER, 1936, AND THE FIRST HALF OF JANUARY, 1937

DIVISION	Rate of Salary	Av. Hrs. Worked per Week (1)	Amt. Rec'd Dec. 1-31, 1936	Amt. Rec'd Jan. 1-15, 1937	Term of Employment	
					Date Employed	Date Released
F.E.R.A LIQUIDATION:						
Bertsch, Lydia, Bookkeeper .....	\$110.00	38	\$110.00	\$ 55.00	Dec. 15, 1935	
Eisenmann, Otto, Custodian, F.E.R.A. & C.W.A. Files .....	75.00	38	75.00	37.50	Dec. 15, 1935	
Erickson, John, Auditor Transient Bureau	100.00	38	100.00	50.00	Apr. 15, 1936	
Farr, Edith, Auditor Relief Orders .....	110.00	38	110.00	55.00	Dec. 15, 1935	Jan. 15, 1937
Kirkingburg, Hazel, Stenographer .....	100.00	38	100.00	50.00	Dec. 15, 1935	
Paul, Helen, Secretary and Auditor .....	96.00	44	96.00	48.00	Dec. 15, 1935	
Smiley, Eunice, Clerk Transient Bureau..	83.00	38	83.00	41.50	Feb. 21, 1936	
Stoelting, Mary, Telephone Operator .....	65.00	38	65.00	.....	Nov. 10, 1936	Dec. 31, 1936
Thomas, Marie, Bookkeeper .....	85.00	38	85.00	42.50	Dec. 15, 1935	
Walla, Celia, File Clerk .....	100.00	38	100.00	50.00	Dec. 15, 1935	

(1)—The usual number of hours of work required in most State offices is 38 hours per week.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 25, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Senate Bill No. 37. 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. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

## FIRST READING OF SENATE BILLS

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

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

Senate Bill No. 37. 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.

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

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

## SEVENTH ORDER OF BUSINESS

Mr. Olson of Adams moved that the absent members be excused, which motion prevailed.

## COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mrs. Thomas A. White, Kramer; George Martin, Harvey;

Irving Kath, Ft. Yates; C. C. Swain, Mayville; Morris Erickson, Jamestown; Frank R. Scott, Dan Braatland, Art Kunert and Frank Van Horn, Fargo; H. J. Geigle, Mrs. O. R. LaBerge, Rev. N. E. Ellsworth, Bismarck; Maurice Peterson, Golden Valley; Wm. Morris, Bismarck; F. W. Scott, Fargo; I. Matson, J. H. Mackley, Minot; D. A. Wennerstrom, Finley; Arlean Freitag, Max; Jens H. Toso, Hans Rank, Walter Dahlund and O. H. Toso, Esmond.

Mr. Morland moved that the House recess until 9:45 a. m., tomorrow morning when it will meet in joint session with the Senate, which motion prevailed and the House was recessed.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-FIRST DAY AFTER RECESS AND  
TWENTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
January 26, 1937.

The House convened at 9:45 A. M., pursuant to recess, Speaker Dahl presiding.

Mr. Wolf moved that the Speaker appoint a committee of three to notify the Senate that the House is ready to receive them in joint session.

Which motion prevailed.

The Speaker appointed to such committee Representatives Wolf, Holthusen and Hagen.

Mr. Godwin moved that the heads of the federal and state departments be invited to the joint conference.

Which motion prevailed.

Mr. Godwin moved that the Speaker appoint a committee of three, of which the mover shall not be a member, to notify the said heads of the federal and state departments of the action of the House. The motion prevailed and the Speaker appointed to such committee Representatives Morland, Ireland and Thompson.

## JOINT SESSION

The joint session was called to order by Lieutenant-governor Thoresen.

The roll call of the Senate disclosed 41 present and 8 absent.

The roll call of the House disclosed 93 present and 20 absent.

So a quorum was declared present.

Senator Lowe moved that the President appoint a committee of three to escort the governor and state officials to the rostrum. The motion prevailed and the President appointed Senator Lowe and Representatives Solberg and Sticka.

Senator Fine moved that the President appoint a committee of three to escort the visitors to the rostrum, which motion prevailed and the President appointed Senator Fine and Representatives Frey and Olson of Adams.

The committees escorted the Governor, the officials and the visitors to the rostrum.

The President introduced C. E. Rhettts, attorney for the Resettlement Administration, who addressed the assembly.

The President introduced Cal Ward, Regional Director of the Resettlement Administration, who addressed the assembly.

Senator Gilbertson moved that the joint session adjourn, which motion prevailed, and the joint assembly adjourned.

Mr. Godwin moved that the House adjourn, which motion prevailed, and the House adjourned.

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#### TWENTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
January 26, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. G. Adolph Johns of Bismarck.

The roll was called and all members were present except Representatives Brown, Burgum, Byrne, Day, Jones, Morland, Norheim, Olson of Bowman, Semerad and Traynor.

So a quorum was declared present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-first Day and recommend that the same be corrected as follows:

On page 201, strike out lines 14, 15 and 16.

On page 203, after line 48, insert the following: "Mr. Fitch moved that Senate Bill No. 1 be re-referred to the Insurance Committee, which motion prevailed."

At the bottom of page 194, insert in the Message to the Senate following House Bill No. 14, "Also, House Concurrent Resolution 'F'."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 65. A Bill for an Act to Amend Chapter 117 of the 1935 Session Laws Providing for the Creation of a Board of County Park Commissioners by Adding Thereto a Provision to Be Designated as Section 7-A Thereof to Permit Said County Park Commissioners to Make a Levy on the Taxable Property of the County to Be Expended for Park and Recreational Purposes, and Exempting Said Tax Levy from the Levy Limitations Provided by Chapter 235 of the 1929 Session Laws and Amendments Thereto, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 64. A Bill for an Act to Prohibit Treating in Places Licensed to Sell Intoxicating Liquors as Beverages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for the Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit



the Time in Which Action May Be Brought to Enforce the Same, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

On line 2 of the title strike out the words "For year 1913" and insert in lieu thereof "of 1931".

On line 3, Section 1, strike out commas after the words "Lodging" and "Tuition".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commissions.

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

Strike out all of Section 4059. Line 1, 2 and 3 in the printed bill.

And when so amended recommend the same do pass.

OLE B. STRAY,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OLE B. STRAY,  
Chairman.

Mr. Odegard moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 26, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Also,

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement of the 1913 Compiled Laws of North Dakota.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

## FIRST READING OF HOUSE BILLS

Mr. Adams introduced:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

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

Messrs. Frazier and Rait introduced:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

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

Messrs. Tweten and Hofstrand introduced:

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

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

Mr. McInnes (by request) introduced:

House Bill No. 86. A Bill for an Act to Amend and Re-enact Section 510 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct and to Prohibit the Practice of Dentistry by Corporations Providing Penalties for the Violation Hereof.

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

Mr. Kapaun introduced:

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a penalty for the Violation of the Provisions Hereof.

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

## SECOND READING OF HOUSE BILLS

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of 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, 105; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss

Messrs.	Messrs.	Messrs.
Blair	Kraus	Schimke
Brown	LaBerge	Seibel
Brusseau	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Dittmer	Livingston	Shurr, Bottineau
Dullea	Magill	Solberg
Fitch	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Morland	Symington
Frey	Morris	Thompson
Frosaker	Myers	Thoreson
Gessner	Nelson, Cass	Treffry
Gilberg	Nelson, Sargent	Trydahl
Godwin	Niewoehner	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker

Those voting in the negative were:

Messrs.  
Beaton

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Day	Norheim
Burgum	Jones	Traynor
Byrne		

So the bill passed and the title was agreed to.

Mr. Godwin moved that Resolution "F" introduced by Mr. Fitch as a Concurrent Resolution, be referred to the Committee on Ways and Means and that it be not printed in the Journal until reported on by the Committee, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 26, 1937.

Mr. President: I have the honor to transmit herewith the following resolutions:

HOUSE CONCURRENT RESOLUTION "I"

Also,

HOUSE CONCURRENT RESOLUTION "H"

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 26, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

Also,

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress

of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

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

Very Respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Schauss moved that House Bill No. 59 be transferred from the State Affairs Committee to the Committee on Taxes and Tax Laws. The motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement of the 1913 Compiled Laws of North Dakota.

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

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

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

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

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

#### GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a Committee of the Whole for the consideration of general orders.

Which motion prevailed.

The Speaker called Mr. Fitch to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

In original bill in Section 1, line 2, correct the spelling of "Physiotherapy".

In Section 1, line 5, correct the spelling of "Hydrotherapy".

In Section 1, line 7, correct the spelling of "Dietetics".

In Section 4, line 7, correct the spelling of "Dietetics".

In Section 4, line 8, correct the spelling of "Theory".

In Section 7, line 1, correct the spelling of "Disposition".

In Section 9, lines 1 to 4 inclusive, strike out everything after the word "Penalties" and insert the following: Any person not having at the time of so doing a valid unrevoked certificate issued to him by the Board of Naturopathic Examiners as provided in this Act who in any sign or any advertisement uses, in the State of North Dakota, the word or term "Naturopath", "Naturopathic Physician", "Dr. of Naturopathy", "Natural Healer" or "Napropath" with the intent of indicating or implying that he is a Naturopathic Physician shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for a term of not more than thirty days or by both such fine and imprisonment.

And the further amendment:

In line 4, of Section 3, of the printed bill, strike out the period and insert the following: "and who shall pass a satisfactory examination" and insert the period.

Also the further amendment:

In line 8, Section 4, page 3, change spelling of the word "Dietetics".

K. A. FITCH,  
Chairman.

Mr. Schauss moved that the report of the Committee of

the Whole be adopted, which motion prevailed and the report was adopted.

FIFTH ORDER OF BUSINESS  
REPORT OF STANDING COMMITTEES

The Committee on Ways and Means made the following report:

Mr. Speaker: A majority of your Committee on Ways and Means to whom was referred:

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
ARLO E. BEGGS,  
F. J. HAINES,  
CARL H. PEWE,  
H. W. BROWN,  
HARVEY BRUSSEAU,  
CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted.

A minority of the Committee on Ways and Means made the following report:

Mr. Speaker: A minority of your Committee on Ways and Means to whom was referred:

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

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

In lines two and three, Section 2, strike out the words "to



civil office or other employment" and insert in lieu thereof the following: "as specified in Section 1 herein".

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
A. W. BENNO,  
K. A. FITCH.

Mr. O'Brien moved that the report of the minority be substituted for majority report.

The question being on Mr. O'Brien's motion, a roll call was demanded.

### ROLL CALL

The question being on Mr. O'Brien's motion that the report of the minority be substituted for the report of the majority, the roll was called and there were ayes, 51; nays, 57; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	O'Brien
Benno	Ireland	Oglesby
Black	Johnson	Olson, Bowman
Blair	Jury	Olson, Sargent
Brown	Just	Page
Byrne	Kapaun	Peterson, Renville
Dalzell	Knudson, Steele	Peterson, Richland
Dullea	Kraus	Sandness
Fitch	LaBerge	Saumur
Frey	Langford	Severson
Frosaker	Leum	Shure, Cass
Gessner	Magill	Solberg
Gilberg	McInnes	Symington
Goodlaxon	Morland	Thompson
Graham	Morris	Trydahl
Holm	Niewoehner	Twichell
Holthusen	Nelson, Sargent	Wendland

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Sand
Akland	Holmquist	Savre
Anderson	Hultstrand	Schauss
Anfinson	Jensen	Schimke
Beaton	Knutson, LaMoure	Seibel
Beggs	Krank	Semerad
Biberdorf	Levin	Shurr, Bottineau
Bieloh	Livingston	Sticka
Billigmeier	McIntee	Stray
Bjornson	Myers	Thoreson
Brusseau	Nelson, Cass	Treffry
Caddell	Obach	Tuff
Dittmer	Odegard	Tweten
Frazier	Olson, Adams	Urschel
Freitag	Olson, McLean	White

Messrs.	Messrs.	Messrs.
Godwin	Peterson, Bot'neau	Wick
Greiser	Pewe	Williams
Hagen	Rait	Wolf
Haines	Ritter	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Jones	Traynor
Day	Norheim	

So the motion was declared lost.

The question now being on the motion of Mr. Anfinson that the report of the majority be adopted and Senate Bill 27 be indefinitely postponed, the motion prevailed and Senate Bill 27 was indefinitely postponed.

Mr. Schauss moved that the vote by which Senate Bill No. 27 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 26, 1937.

Mr. Speaker: I have the honor to return herewith the following resolutions:

HOUSE CONCURRENT RESOLUTION "H"

Also,

HOUSE CONCURRENT RESOLUTION "I"

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF STANDING COMMITTEE

The Committee on Enrolling and Engrossing made the following report:

Mr. Speaker: Your Committee on Enrolling and Engrossing respectfully report:

HOUSE CONCURRENT RESOLUTION "I"

Also,

JOINT RESOLUTION "H"

Was delivered to the Secretary of State at the hour of 3:00 o'clock P. M., January 26, 1937.

CARL H. DITTMER,  
Chairman.

Carl H. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that Mr. William F. Kurke, a member of the firm of architects which designed the House Chamber, be invited to come before the assembly to explain the acoustic properties of the chamber and the approximate cost and result of a permanent system.

Which motion prevailed.

Mr. Fitch moved that the courtesies of the floor be extended to former Representative Cosgriff and Mrs. Cosgriff.

Which motion prevailed.

Mr. Frazier moved that the courtesies of the floor be extended to former Representative Frank Hoare.

Which motion prevailed.

Mr. Godwin moved that the House recess for the purpose of hearing Mr. Kurke on the matter of the acoustic properties of the House of Representatives, which motion prevailed and the House was recessed.

The House convened at 3:30 P. M., pursuant to recess, Speaker Dahl presiding.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the time limit for the introduction of appropriation bills be extended for five days, or until the thirtieth legislative day.

Which motion prevailed.

Mr. Thoreson moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House recess to 1:30 P. M., tomorrow, which motion prevailed and the House was recessed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

John Heinley, Denhoff; John Schlag, Anamoose; Charlie Delaney, Dickinson; John Snider, John Hollinger, Lefor; Mr. Cupper, Fargo; Frank Hoare, Williston; Henry Owen, Grand Forks; Don Wanner, Pingree; Jens Paulson, J. A. Enger, Finley; Robert Renden, Mandan; R. C. McKay, Tyle Furgle, Devils Lake; Geo. Anderson, Woodworth; Gerald Olsen, Mooreton; A. J. Theede, Fairmount; Roy F. Bauckman, John Nettet, Bert E. Baldwin, V. E. Anderson, Devils Lake; H. C. Mettag, Wahpeton; Jay Bryant, A. Schatz, Napoleon; Maud Cosgriff, E. J. Cosgriff, Fargo; T. E. Schuler, Streeter; Gorman King, Fargo; L. L. Rudrud, Grand Forks; C. H. Johnson, Fargo; Olive LaBerge, Grafton; Rev. W. Gerberding, Fred Knautz, Fargo.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-SECOND DAY AFTER RECESS AND  
TWENTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
January 27, 1937.

The House convened at 1:30 p. m., pursuant to recess,  
Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Niewoehner moved that a communication received from  
The Honorable G. Grimson, Judge of the District Court, be  
printed in the Journal, which motion prevailed.

NEED OF INDUSTRIAL TRAINING FOR DELINQUENT  
AND SUBNORMAL YOUTH

By G. Grimson, Judge of the District Court.

The press reports of a new child welfare program undertaken by the State Welfare Board with the cooperation of the Federal Government. Trained child welfare workers are to be provided in the different districts and counties for more investigation and better attention to the care of dependent and delinquent children. That is a welcome aid to those who have had to deal with such problems and a step in the right direction.

It seems to me, however, that supplemental to that work and of the greatest importance to us now is the establishment somewhere in our educational system or in connection with our charitable institutions of a place or places where proper industrial training can be given to those who can best be helped by such training.

There is no department in our State Training School of manual training of any kind. Those sent there have no opportunity to learn anything of mechanics or a trade. The labor of some of them is utilized on the farm or in connection with the repairing or upkeep of the institution but no course is provided to teach farming, to teach the mechanics of the gas engine, carpentry, blacksmithing, welding, or any of the invaluable trades that might be so useful to them in after life.

There is a department of manual training and trades are taught at the School for the Deaf at Devils Lake. Manual training is a part of the instruction given at the institution for the Feeble Minded at Grafton. Such instruction is given in many high schools. Why should not those, who, through some unfortunate circumstance, perhaps because of something abnormal in their mental makeup, have to be sent to the Training School, not be there provided with as good an opportunity to prepare for life as are the physically handicapped at the other institutions.

In every other training school that I have investigated I have found great emphasis laid on the teaching of trades and mechanics. Experience seems to indicate that many of those who are sent to such institutions can best be reached and made good citizens through a training with the hands.

This matter was some years ago before the Judicial Council, who appointed a committee to investigate. Upon the report of that committee and on the appearance before the council in support thereof by Superintendent McClelland of the Training School, the Council passed the following resolution: "That it be the sense of the Judicial Council that more training in farm mechanics for boys at the State Training school would be very desirable and that we respectfully suggest that the Superintendent and Board of Administration and the Legislature use every endeavor to see that such a course is provided there." As far as I am informed neither the Board of Administration nor the State Legislature has so far taken any action to provide for such a course at the State Training School.

Furthermore, my experience in conducting Juvenile Court is that many of those brought there are not really delinquent or are not sufficiently so that they should be branded for life with that designation and a committment to the State Training School. They are young people, often with little or no home protection, who may be a little abnormal or subnormal and have drifted unconsciously into some anti-social activities. Such young people often have no home and do not fit into any home, at least without some training. What to do with them is one of the biggest problems for the Courts. No place is provided in our educational system or in the charitable institutions. The Children's Home Society, the orphanages and welfare agencies of the church do all they can, but their help is often unavailable or inadequate. For that class of young people there should be provision made either in connection with some of our present institutions or otherwise where they can be sent for physical and mental examination, for proper observation. It may be possible to discover the deficiency of character which has brought them to their present condition, and the special bent endowed by Providence which, if developed, may make them good citizens.

We have an adequate if not over developed system of educating the normal and strong. We are attempting to do everything possible for the physically handicapped. For those, however, who are somewhat below normal, somewhat handicapped mentally if not physically and who have need of special attention just as much as those with physical handicaps we have no provision. It is from that class that the delinquent

develops. Their tendency is to drift into the criminal class and to become a destructive burden on society.

Our Constitutional Convention must have had in mind to do something for that class when after establishing institutions of learning for the well and of training for the handicapped, it provided "An industrial school and school for the manual training or such other educational or charitable institution as the assembly may provide." Sec. 216, Constitution. Instead of carrying out the purpose indicated that particular institution was turned into a normal school.

It seems that our tendency has been to emphasize the training for white-collar workers rather than artisans and trades people. The PWA administration complains that their greatest difficulty in public works projects is in finding skilled workers. Many craftsmen have to be brought in from other states.

Our legislature is now in session. My appeal is to all those interested in child welfare to call this matter to the attention of their legislators and ask them to consider making adequate provision for a department of industrial training at the Training School and to endeavor to work out some plan either in connection with some present institution or otherwise, for a place to which to send the subnormal for proper development without the stigma of having been to the Training School. I realize that this is a time for economy, but what is better economy than the salvaging of human lives?

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

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

In printed bill, page 1, line 3, strike out the figures "\$674,966.00" and insert in lieu thereof the figures "\$668,725.00". Page 2, line 22, change figures to \$18421.00 on line 25 change to \$2,000.00, on line 31 change to \$16,660.00. After line 31 insert line 31½ write in Stenographic Bureau also the figure \$10,820.00. On line 37 change figures to \$5,500. On line 40 change to \$80,000.00 line 43 change to \$26,000.00 line 45 change figure to read \$834,775.00 line 48 change to read \$617,775.00 in line 53 change total to \$668,725.00.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand 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. Speaker: Your Committee on Enrollment and Engrossment to whom was referred:

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have examined same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

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

In the last line of the title, substitute a comma for the period and add the following words: "and declaring an emergency."

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further

Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

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

In line 10, Section 10254 of the printed bill, insert a comma after the word "hospital" and before the word "by".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 34. A Bill for an Act to Amend and Re-enact Subdivision 3 of Section 10635 of the 1913 Compiled Laws Relating to When Grand Jury May Be Called and Providing for a Petition in Writing Requesting the Calling of Such Grand Jury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 4380 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Causes for Granting Divorce.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Military Affairs made the following report:

Mr. Speaker: Your Committee on Military Affairs to whom was referred:

JOINT RESOLUTION "Directing the Governor to Proclaim October 11th of each year 'GENERAL PULASKI'S MEMORIAL DAY.'"



Have had the same under consideration and recommend that the same be introduced.

PETER PETERSON, (Bottineau),  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

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

In the first line of the title of the bill strike out the word "State."

After the enacting clause strike out the remainder of the bill and insert the following:

Sec. 1. ORGANIZATION.) Any number of county mutual fire and lightning insurance companies, not less than five, organized under and by virtue of Sections 4932 to 4950, both inclusive, of the Compiled Laws of North Dakota for the year 1913, or Sections 4950a1 to 4950a21 both inclusive of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, may form a corporation for the purpose of reinsuring the fire and lightning risks of the members, on the mutual plan.

Sec. 2. ARTICLES OF INCORPORATION. BY-LAWS.) The Articles of Incorporation of such corporation shall contain the name, which shall include the words "mutual reinsurance company," purpose, the location of its principal place of business which shall be within this state, the term of its corporation which may be perpetual, the number of directors which shall not be less than five nor more than thirteen, and the names and residences of the persons who are to serve as such until the election and qualification of their successors, and the said articles of incorporation may set forth any other provisions which are permitted under the general incorporation laws of the state, or are permitted in the case of county mutual insurance companies. The by-laws of such farmers state mutual fire and lightning reinsurance company shall contain such provisions for the government of the company and the conduct of its business, as are permitted in the case of county mutual insurance companies.

Sec. 3. CERTIFIED COPY OF CERTIFICATE OF COMPLIANCE WITH LAW.) The Articles of Incorporation and the by-laws of such corporation, if found in conformity with this Act and not inconsistent with the laws and Constitution of this State, shall be approved by the Commissioner of Insurance, and a certified copy thereof shall be delivered to

such members, and a certificate to the effect that said corporation has complied with all the requirements of law, which, on being filed in the office of the register of deeds of the county where the principal office of the corporation is located shall be its authority to commence business and issue policies, and such certified copy of the Articles of Incorporation and of such certificate may be used for or against such company, with the same effect as the original, and shall be conclusive evidence of the fact of the organization of such corporation.

Sec. 4. ANNUAL STATEMENT.) The secretary of the company shall prepare and submit to the members thereof, at each annual meeting, a copy of the annual statement required to be filed with the commissioner of insurance, as provided in Section 4949 of the Compiled Laws of 1913, of the State of North Dakota.

Sec. 5. APPLICABILITY OF GENERAL LAWS.) In all other respects companies organized under the provisions of this act shall be subject to the provisions of the general laws of the State of North Dakota relating to county mutual companies.

Sec. 6. REPEAL.) All acts, or parts of acts, in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

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

In Line 20 of the original bill, correct the spelling of the word "extension".

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 6854 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, and Section 6855 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, as Amended by Chapter 156 of the 1929 Session Laws and by Chapter 177 of the 1931 Session Laws, Relating to Threshing Liens and Procedure to Obtain the Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted.

Mr. Symington made a substitute motion that House Bill No. 66 be re-referred to the Committee, which motion was lost.

The question being on Mr. Savre's motion that the report be adopted, the motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

#### HOUSE RESOLUTION "B"

Have had the same under consideration and recommend that the same be adopted.

N. P. JENSEN,  
Chairman.

Mr. Wick moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Schauss moved that House Resolution "B" be printed in the Journal and that a copy of such Resolution be sent to the Taxpayers Association which meets in Bismarck January 28, 1937. The motion prevailed.

#### HOUSE RESOLUTION "B"

Introduced by Frazier of Divide and Olson of Adams.

WHEREAS, the North Dakota Taxpayers Association is taking an active interest in trying to shape the tax legislation during the present legislative session; and

WHEREAS, it is claimed that the membership of said association is composed of North Dakota residents and is representative of the taxpaying public in North Dakota:

THEREFORE, BE IT RESOLVED by the House of Representatives of the State of North Dakota that we do hereby request said association to file with the Clerk of this House, a complete list of the names and addresses of all persons, firms, corporations, or associations contributing in excess of \$10.00 to said association during the years of 1936 and 1937.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 23. A Bill for an Act to Cancel all Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1935, and all Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes are Paid During the Years 1937 and 1938; and Repealing all Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 74. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 157 of the 1935 Session Laws, Relating to Legal Rate of Interest.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES G. THORESON,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

HOUSE RESOLUTION "D", Investigations of Live Stock Credit Corporations and Companies.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin made a substitute motion that House Resolution

"D" be adopted and that it be printed in the Journal, which motion prevailed.

#### HOUSE RESOLUTION "D"

Introduced by Messrs W. J. Godwin, Morton County, North Dakota; Calvin Schimke, Wells County, North Dakota; Oscar Hagen, McKenzie County, North Dakota.

Investigations of Live Stock Credit Corporations and Companies.

WHEREAS, sundry associations, companies and corporations, commonly known as Live Stock Credit Companies, have been organized and are engaged in and carrying on the business of making loans on Live Stock in the State of North Dakota; and

WHEREAS, there has been brought to the attention of the House of Representatives of the State of North Dakota sundry complaints of members and others relative to the conduct, methods and practices of said companies in the making and settlement of loans to members and others, and that the same are not in conformity to the Law and rules and regulations regulating and controlling the said companies in the conduct of said business; and

WHEREAS, among other charges and complaints, it is particularly charged that many of the said companies have heretofore and do now fail, refuse and neglect to retire the stock purchased and held by members and refund the monies paid therefor by said members as provided by law, and do otherwise engage in practices detrimental to the welfare of said companies and their membership:

NOW, THEREFORE, BE IT RESOLVED that the State Securities Commission of the State of North Dakota be and hereby are authorized and directed to make a full, complete and exhaustive investigation of the companies, corporations and associations, commonly known as Live Stock Credit Corporations, and engaged in the making of loans on livestock in the State of North Dakota, and the conduct, methods, practices and operations of such companies; and that the said Securities Commission take or cause to be taken such action or proceedings as by it may be deemed necessary and proper in the premises with a view to remedying and preventing any unlawful, unfair, or improper practices, methods and operations of said companies and removing the causes for such complaints.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of

the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Military Affairs made the following report:

Mr. Speaker: Your Committee on Military Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "D". A Concurrent Resolution Memorializing Congress to Propose for Ratification by the States of the Union an Amendment to the Constitution of the United States Providing That a Declaration of War Must Be Ratified by a Nationwide Referendum and Providing for the Conscription of Private Property Necessary for the Conduct of War During Times of War.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PETER PETERSON,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted.

Mr. Godwin made a substitute motion that House Concurrent Resolution "D" be printed in the Journal and that action on such Resolution be deferred one legislative day, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "D"

Introduced by Representatives Sandness and Niewoehner

A Concurrent Resolution Memorializing Congress to Propose for Ratification by the State of the Union an Amendment to the Constitution of the United States Providing That a Declaration of War Must Be Ratified by a Nationwide Referendum and Providing for the Conscription of Private Property Necessary for the Conduct of War During Times of War.

WHEREAS: Disclosures made by the Munitions Investigating Committee and information secured from independent agencies, indicate that Munition and Armament firms not only made excessive profits during the World War but are engaged in times of peace in disseminating propaganda tending to incite fear among nations, and to increase their armaments, thereby encouraging and eventually leading to a declaration of war; and

WHEREAS: There is now transpiring in Europe and Asia Civil Wars and economic strife unparalleled in history accompanied by rearming on an unprecedented scale by the great European nations, all of which may lead to another European War; and

WHEREAS: Taking the profits out of war and requiring a National Referendum before the United States undertakes an offensive warfare, except in the event of invasion or attack, would vastly minimize the probabilities that the United States would become embroiled in another European or Foreign War; and

WHEREAS: A Resolution for an amendment to write these principles into the Constitution of the United States is about to be introduced in Congress,

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of North Dakota, the Senate Concurring, that we earnestly urge the Congress of the United States to propose for ratification by the States of the Union, an amendment to the Constitution of the United States, providing that except in the event of an invasion of the United States or its territorial possessions and attack upon its citizens residing therein, the authority of Congress to declare war shall not be effective until confirmed by a majority of all votes cast thereon in a nationwide referendum; and providing further that whenever war is declared the President shall immediately conscript and take over for use by the Government all private properties and facilities necessary for the conduct of such war.

BE IT RESOLVED FURTHER, That copies of this Resolution be immediately forwarded to the President of the United States, to the Speaker of the House of Representatives of the United States, and to the President of the United States Senate, and to each member in Congress from the State of North Dakota.

The Committee on Military Affairs made the following report:

Mr. Speaker: Your Committee on Military Affairs to whom was referred:

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement of the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same be referred to the Committee on Appropriations for favorable consideration, as this bill provides for an appropriation.

PETER PETERSON,  
Chairman.

Mr. Morris moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

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

In printed bill, page 1, line 3, strike out the figures "\$26,420.00" and insert in lieu thereof the figures "\$30,470.00".

In line 39, change figures to "\$29,530.00" and in line 41 change figures to "\$30,470.00."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House was adjourned.

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### TWENTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
January 27, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. William A. Lemke of Bismarck.

The roll was called and all members were present except Representatives Godwin, Jones, Knudson of Steele, McInnes, Olson of McLean and Traynor.

So a quorum was declared present.

### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-first Day after Recess and Twenty-second Day and recommend that the same be corrected as follows:

On page 229, line 21, correct the spelling of the word "three".



On page 230, line 11, correct the spelling of the name "Rhetts".

At the bottom of page 243 add "House Bill No. 21" to the Calendar.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 27, 1937.

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

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 27, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 39. 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.

Also,

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 27, 1937.

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

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of North Dakota.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

PETITIONS AND COMMUNICATIONS

Communication from Representative Edwin Traynor.

Communication from E. A. Willson, Executive Director of the Public Welfare Board.

Mr. Wolf moved that Mr. Willson's communication be referred to the proper committee, which motion prevailed and the communication was referred to the Appropriations Committee.

Petition signed by H. L. Speer of Ross, North Dakota, and 27 others.

Resolution from Divide County Supervisors Association referred to State Affairs Committee.

Resolution from the Tax Committee of the Divide County Township Supervisors Association, referred to Committee on Taxes and Tax Laws.

Nine telegrams from Fraternities at the North Dakota Agricultural College opposing the passage of House Bill No. 36.

HOUSE CONCURRENT RESOLUTION "K" introduced by Messrs. Jensen and Rait, was read and referred to the Committee on Taxes and Tax Laws.

FIFTH ORDER OF BUSINESS

REPORTS OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. Speaker: A minority of your committee on Education to whom was referred:

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN MAGILL,  
CHAS. H. BLACK,  
P. K. HOLM,  
EDWIN K. LIVINGSTON,  
C. M. PETERSON, Renville,  
A. C. JOHNSON,  
HENRY LEUM.

Mr. Magill moved that the report be adopted.

The Committee on Education made the following report:

Mr. Speaker: A majority of your Committee on Education to whom was referred:

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Have had the same under consideration and recommend that the same do pass.

H. F. NIEWOEHNER,  
HERMAN JUST, Jr.,  
JAMES G. THORESON,  
FRANK H. BEATON,  
N. O. HUSEBY,  
MIKE OBACH,  
NELLIE C. OLSON,  
WM. HOLMQUIST,  
PETER PETERSON,  
GUS. A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted.

Mr. Holm moved as a substitute motion that the report of the minority be substituted for the report of the majority.

A roll call was demanded.

#### ROLL CALL

The question being on Mr. Holm's substitute motion, the roll was called and there were ayes, 44; nays, 64; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Graham	Olson, Sargent
Beasley	Greiser	Page
Benno	Holm	Peterson, Renville
Black	Holthusen	Ritter

Messrs.	Messrs.	Messrs.
Blair	Johnson	Saumur
Burgum	Kapaun	Severson
Byrne	Kraus	Shure, Cass
Caddell	LaBerge	Symington
Dalzell	Leum	Thompson
Day	Livingston	Trydahl
Dullea	Magill	Twichell
Fitch	Morris	Wendland
Frey	Nelson, Cass	Wolf
Frosaker	Norheim	Mr. Speaker
Gessner	O'Brien	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Pewe
Anderson	Ireland	Rait
Anfinson	Jensen	Sand
Beaton	Jury	Sandness
Beggs	Just	Savre
Biberdorf	Knutson, LaMoure	Schauss
Bieloh	Krank	Schimke
Billigmeier	Langford	Seibel
Bjornson	Levin	Semerad
Brown	McIntee	Shurr, Bottineau
Brusseau	Morland	Solberg
Dittmer	Myers	Sticka
Frazier	Niewoehner	Stray
Freitag	Nelson, Sargent	Thoreson
Gilberg	Obach	Treffry
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Hagen	Olson, Adams	Urschel
Haines	Olson, Bowman	White
Hofstrand	Peterson, Bot'neau	Wick
Holmquist	Peterson, Richland	Williams
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Jones	McInnes	Traynor
Knudson, Steele	Olson, McLean	

So the motion was declared lost.

The question being on Mr. Niewoehner's original motion that the majority report be adopted, the motion prevailed and the majority report was adopted.

#### TENTH ORDER OF BUSINESS

##### FIRST READING OF HOUSE BILLS

Messrs. Johnson, Thompson and Schauss introduced:

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

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

Messrs. Freitag and Wolf introduced:

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Fixing Duties and Compensations of the District Courts in Connection Therewith; Requiring Delivery of Assets to The Bank of North Dakota; Specifying Its Duties in Connection Therewith; Providing for Appointment of Attorneys and Providing Methods for Disposing of Assets and Closing Receiverships; Granting the Right of Appeal; Providing for Appointment of Temporary Receivers and Liquidating Committees; and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Messrs. Freitag, Wolf and Sand introduced:

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together with Any and All Acts or Parts of Acts in Conflict with or Inconsistent to the Provisions of This Act.

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

Messrs. Black and Graham introduced:

House Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 137, Session Laws of 1931, Relating to Filling of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

Was read the first time and referred to the Committee on Election and Election Privileges.

Messrs. Wick, Jensen and Bieloh introduced:

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 166 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Section 6, of Chapter 189, of the Session Laws of North Dakota for the Year 1931, and as Further Amended and Re-enacted by Section 2, of Chapter 172, of the Session Laws of 1935; Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for

the Report of Sales of Such Motor Vehicle Fuels; for Exempting Certain of Said Fuels from Taxation; for the Disposition of the Revenue Derived Therefrom; for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for Violation of This Act; Repealing All Acts or Parts or Acts Which Conflict Herewith.

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

Messrs. Dullea and Leum (by request) introduced:

House Bill No. 93. A Bill for an Act Making an Appropriation for the Purpose of Conducting Grain Festivals or Exhibitions to Advertise the Products and Resources of the State.

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

Mr. Frazier introduced:

House Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 5 and 7 of Chapter 148 of the Session Laws of 1935 by an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, and an Assistant Highway Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Finance Collected; Making Certain State Highway Department Employees and Certain Employees of the State Board of Railroad Commissioners Members of Police Patrol.

Was read the first time and referred to the Committee on Highways and Bridges.

Mr. Frazier introduced:

House Bill No. 95. A Bill for an Act Authorizing, Empowering, and Directing, the Board of Administration to Secure Plans and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements to Build and Construct Power Plants; Including Buildings, at the Agricultural College Located at Fargo, North Dakota, and Mayville Normal at Mayville, North Dakota, of Sufficient Size to Provide Adequate Electrical Current for the Needs of Said Institutions; Employ Architects, Superintendents; Authorizing the Board of Administration to Do All Things Necessary in Order to Fully Erect and Complete Said Power Plants and Place the Same in Operation; Specifying Circumstances Under Which the Provisions of This Act Shall Not Be Carried Out.

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

The Committee on Appropriations introduced:

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The

Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

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

Mr. Niewoehner introduced:

House Bill No. 97. A Bill for an Act to Provide for Cancellation From Record of Contracts for Sale of Land Not Renewed Within Fifteen Years From Due Date or Within Twenty Years From Date of Recording; When Land is Not Occupied by Vendee; and for Procedure to Be Followed, and Repealing All Acts in Conflict Herewith.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, 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, 98; nays, 0, absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Peterson, Renville
Anderson	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Jensen	Sand
Beggs	Johnson	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Savre
Billigmeier	Kapaun	Schauss
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Blair	Kraus	Semerad
Brown	LaBerge	Severson
Brusseau	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	Magill	Sticka
Day	McIntee	Stray
Dittmer	Morland	Symington
Fitch	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff

Messrs.	Messrs.	Messrs.
Gilberg	Norheim	Tweten
Goodlaxon	Obach	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Frazier	McInnes
Beaton	Godwin	O'Brien
Benno	Jones	Peterson, Richland
Burgum	Knudson, Steele	Ritter
Dullea	Levin	Traynor

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

A call of the House was demanded and granted. The Speaker instructed all members to remain in their seats, the Clerk to call the roll, and the Sergeant-at-Arms to bring in the absent members.

The roll was called and all members were present except Representatives Dullea, Jones, Knudson of Steele, Levin, McInnes, O'Brien, and Traynor.

Mr. Twichell moved that further proceedings in connection with the call of the House be dispensed with, which motion prevailed.

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing 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, the roll was called and there were ayes, 66; nays, 41; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Peterson, Bot'neau
Akland	Holmquist	Peterson, Richland
Anderson	Holthusen	Pewe
Anfinson	Hultstrand	Rait
Beaton	Jensen	Ritter
Beggs	Just	Sand



Messrs.	Messrs.	Messrs.
Benno	Kapaun	Sandness
Bieloh	Knutson, LaMoure	Schauss
Billigmeier	Krank	Schimke
Bjornson	Livingston	Seibel
Black	McIntee	Semerad
Brown	Magill	Shurr, Bottineau
Brusseau	Morland	Solberg
Caddell	Myers	Sticka
Dalzell	Niewoehner	Stray
Frazier	Nelson, Cass	Symington
Freitag	Obach	Thoreson
Gessner	Odegard	Treffry
Godwin	Olson, Adams	Tuff
Graham	Olson, Bowman	Urschel
Greiser	Olson, McLean	White
Hagen	Olson, Sargent	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	Peterson, Renville
Biberdorf	Ireland	Saumur
Blair	Johnson	Savre
Burgum	Jury	Severson
Byrne	Kraus	Shure, Cass
Day	LaBerge	Thompson
Dittmer	Langford	Trydahl
Fitch	Leum	Tweten
Frey	Levin	Twichell
Frosaker	Morris	Wendland
Gilberg	Nelson, Sargent	Wick
Goodlaxon	Norheim	Wolf
Hofstrand	Oglesby	Mr. Speaker
Holm	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dullea	Knudson, Steele	O'Brien
Jones	McInnes	Traynor

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

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

Senate Bill No. 39. 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.

#### TENTH ORDER OF BUSINESS

#### FIRST READING OF HOUSE BILLS

Mr. Schauss introduced:

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

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

#### GENERAL ORDERS

Mr. Schauss moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Schauss to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for the Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit the Time in Which Action May Be Brought to Enforce the Same, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

On line 2 of the title strike out the words "For year 1913" and insert in lieu thereof "of 1931".

On line 3, Section 1, strike out commas after the words "Lodging" and "Tuition".

Also,

House Bill No. 35. A Bill for an Act to Amend and Re-

enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commissions.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out all of Section 4059. Line 1, 2 and 3 in the printed bill.

And the further amendments:

At the end of the title, strike out the period and insert a comma and add the following "and declaring an emergency."

Add the following at the end of the bill:

"SECTION 3. EMERGENCY. An emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Godwin moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House recess to 1:30 P. M., tomorrow, which motion prevailed and the House was recessed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Margaret Lynne, Hamburg; Dr. J. P. LaPaente, Arthur Beisiker, A. N. Beiseker, Harvey; L. Correll, Casselton; R. A. Kuntz, Peter Bishop, Simon Koenig, N. A. Schall, Tunbridge; Denis Schwan, Berwick; Henry Smith, Clarence Olson, Matt Duffy, Esmond; Conrad Elmess, Bismarck; Titus Richards, Lester G. Orcutt, Fargo; Bryen Foster, Bathgate; Mr. and Mrs. J. M. Stahl, Minot; Henry Martineson, Ft. Ransom; E. A. Connelly, Kenmare; H. J. Yuly, Burlington; A. L. Morris, Ryder; Mary Nierling, Jamestown; J. C. McMillan, Ellendale; W. H. Sparrow, Dwight; A. G. Torgeson, Bertel Jacobson, Minot; Wm. Noyes, Cando; Mr. Louis Knowles, Mitchell, S. D.; M. O. Steen, Bismarck; Ted Kusler, Turtle Lake.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-THIRD DAY AFTER RECESS AND  
TWENTY-FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 28, 1937.

The House convened at 1:30 p. m., pursuant to recess, Speaker Dahl presiding.

FIFTH ORDER OF BUSINESS

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

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

In printed bill, page 1, line 3, strike out the figures "\$385,012.55," insert in lieu thereof the figures "348,279.51".

Page 2, line 13, strike out the figures "\$6.728.00" insert the figures "\$6.000.00".

Page 2, line 14, strike out the figures "\$4,500.00" insert the figures "\$3,500.00".

Page 2, line 21, strike out the figures "\$69,407.20" insert the figures "\$60.000.00".

Page 2, line 22, strike out the figures "\$31,576.96" insert the figures "\$30,000.00".

Page 2, line 28, strike out the figures "\$20,000.00" insert the figures "\$18,000.00".

Page 2, line 33, strike out the figures "\$2,000.00" insert the figures "\$1,200.00".

Page 3, line 36, strike out the figures "\$21,178.60" insert the figures "\$20,000.00".

Page 3, line 37, strike out the figures "\$60,000.00" insert the figures "\$65,000.00".

Page 3, line 38, strike out the figures "\$9,826.00" insert the figures "\$5,000.00".

Page 3, line 39, strike out the figures "\$50,000.00" insert the figures "\$37,510.00".

Page 3, line 40, strike out the figures "\$6,883.28" insert the figures "\$6,000.00".

Page 3, line 41, strike out the figures "\$35,000.00" insert the figures "\$30,000.00".

Page 3, line 43, strike out the figures "\$17,160.00" insert the figures "\$16,817.00".

Page 3, line 45, strike out the figures "\$692,659.60" insert the figures "\$657,769.56".

Page 3, line 48, strike out the figures "\$323,687.55" insert the figures "\$288,797.51".

Page 3, line 59, strike out the figures "\$5,500.00" insert the figures "\$5,000.00".

Page 4, line 70, strike out the figures "\$3,500.00" insert the figures "\$2,500.00".

Page 4, line 61, strike out the figures "\$3,500.00" insert the figures "\$348,279.51".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 49. A Bill for an Act to Provide for a Civil Service Commission; Defining the Powers, Duties and Compensation of Such Commission; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to Such Commission the Duty to Make Rules for Examination and Certification of Persons Eligible for Appointment to Positions; Making Rules for Appointment, Promotion, Transfer, and Re-instatement of Persons to Positions in Such Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying Salaries and Other Expenses.

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

Sec. 2, line 4, change salary from \$500 to \$120.

Sec. 9, line 15, insert the word "capacity" after the word "the" and before the words "and ability".

Sec. 9, line 37, change fees from \$3.00 to \$2.00.

Sec. 9, line 38, after the word application add the words "said fees to be placed in general funds."

In title Sec. 16, correct spelling word "service".

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

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

In printed bill, page 1, line 3, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00".

On page 2, line 20, change to "\$5,000.00".

On page 2, line 33, change to "\$656,595.20".

On page 2, line 27, change to "\$42,240.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

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

In printed bill, page 1, line 3, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$94,234.00".

Page 2, line 13, insert "maintenance"; also, the figures "\$16,817.00".

Page 2, line 14, change to "\$259,999.58".

Page 2, line 16, insert "net maintenance" and insert the figures "\$16,817.00".

Page 2, between lines 18 and 19, insert a new line known as No. 18½, and write "New swine Investigation building" and write "\$8,858.00".

Page 2, line 26, write in "Ice Cream Equipment".

Page 2, line 28, change total to "\$81,234.00".

Page 3, line 37, change total to "\$94,234.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 50. A Bill for an Act Relating to the Repossessing of Property Sold Under Conditional Sales Contract or Contracts Reserving Title in the Seller; Requiring Service of Notice of Intention to Repossess; Fixing Terms Under Which Possession May Be Taken; Limiting the Right of the Seller; Authorizing District Judges to Make Orders With Reference Thereto.

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

In Section 2, line 3, strike out word "condition" and insert the word "conditionally".

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for

the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

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

In line 4 of the Title after the word "therefor" add a comma and "Declaring an Emergency."

In line 15 of the original Bill which is line 5 of the printed Bill after the word "shall," insert the following "be elected by the legal voters thereof and who shall".

In line 20 of the original Bill which is line 11 of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "six".

In line 24 of the original Bill which is line 14 of the printed Bill after the word "shall," strike out the words "be a farmer residing" and insert in lieu thereof the word "reside".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

In Section 1, line 26 of the original Bill, after the word "Section 1," insert the word "Amendment". Also in Section 1, line 45 of the original Bill, after the word "By," strike out the word "this" and insert in lieu thereof the following: "his or her". Also in Section 3, line 2 of the original Bill, after



the word "Passage," strike out the period and insert the words "and approval".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Akland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

At the end of the title insert the following: "Be it enacted by the Legislative Assembly of the State of North Dakota." Also in line 13 of original Bill, correct the spelling of the word "Providing". Also in line 5, Section 1, Amendment, correct the spelling of the word "Law". Also in line 1, Section 1, after the word "Provided," strike out the period and insert a comma. Also in Section 5, line 2, after the word "Passage," strike out the period and insert the following: "And Approval".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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 "districts" add a "comma and declaring an emergency."

In Line 17 of the original Bill, correct the spelling of the word "publicly".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

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

At the end of the title, strike out the period and insert a "semicolon" and the following words: "and declaring an emergency."

After the title, strike out the "enacting clause."

In the last line of Section 5, of the original Bill, correct the spelling of the word "same".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court

or State Training School, Without Order of the Juvenile Court.

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

In the original Bill, Section 1, line 3, after the word "court," insert a comma and strike out the words "or State Training School" and insert in lieu thereof the following: "or the Superintendent of the State Training School, as the case may be."

At end of line 4, and beginning of line 5, strike out the words "null and void" and insert in lieu thereof the words "subject to annulment in a proceeding brought in District Court."

In line 5, Section 1, after the word "person" insert the word "knowingly".

In Section 1, line 6, strike out the word "felony" and insert in lieu thereof the word "misdemeanor".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the House adjourn, which motion prevailed and the House was adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### TWENTY-FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 28, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. William A. Lemke, of Bismarck.

The roll was called and all members were present except Representatives Brusseau, Dullea, Jones, Knudson of Steele, McInnes, Traynor, Twichell and Wendland.

So a quorum was declared present.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 28, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Also,

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-second Day After Recess and Twenty-third Day and recommend that the same be corrected as follows:

On page 252, line 42, correct the spelling of the word "chairman".

Strike out all of line 8 on page 255.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Communication from the Bismarck Kiwanis Club.

Petition from taxpayers and Nonpartisan League of Cavalier County.

Resolution from farmers of the northwest assembled at Langdon, North Dakota.

Communication from the Legislative Assembly at Wyoming.

Mr. Page moved that the communication from the Wyoming Legislature be referred to the proper committee, which motion prevailed, and the communication was referred to the Committee on Agriculture.

## FIFTH ORDER OF BUSINESS

## REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment to whom was referred:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commission, and Declaring an Emergency.

Also,

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for the Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit the Time in Which Action May Be Brought to Enforce the Same, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have examined same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE RESOLUTION "E" was read.

Mr. Freitag moved that House Resolution "E" be adopted and printed in the Journal, and that the Chief Clerk serve copies thereof on the Governor and on the Secretary of the State Industrial Commission.

Mr. Morland moved an amendment to the effect that the resolution be changed to include a report of all expenditures for legal help and advertising since the State Mill was established.

The question being on Mr. Morland's amendment to the original motion, the amendment was carried.

The question being on Mr. Freitag's original motion, the motion prevailed and the Resolution was adopted.

#### HOUSE RESOLUTION "E"

Introduced by: Calvin Schimke, Wells County; H. R. Freitag, McLean County.

Investigation of Handling Processing Tax at the State Mill and Elevator.

WHEREAS, pursuant to certain Acts of the Congress of the United States, known as the Agricultural Adjustment Act, there was heretofore levied upon and collected for the State Mill and Elevator at Grand Forks, North Dakota, certain processing taxes; and

WHEREAS, the said Agricultural Adjustment Act was thereafter held unconstitutional, and the enforcement and collection of said processing taxes illegal, and that the said monies so paid and collected by the North Dakota Mill and Elevator were by order of the District Court of the United States in and for the District of North Dakota, ordered and adjudged to be impounded and to be paid into the Treasury of the State of North Dakota, such funds to be used for the redemption of certain Mill and Elevator Bonds; and

WHEREAS, the sum so ordered impounded amounted to the sum of \$575,049.82, and of this date there has been only the sum of \$331,447.34 paid into the State Treasury of the State of North Dakota, leaving a balance unaccounted for of \$243,602.48; and

WHEREAS, the citizens of the State of North Dakota are entitled to and should know what disposition was made of the sum not accounted for to the State Treasurer:

NOW, THEREFORE, BE IT RESOLVED, that there be made and presented a demand upon the State Industrial Commission of the State of North Dakota to file and have printed in the Journal a full and complete report as to the disposition of the processing taxes collected up to January 1, 1937, by the State Mill and Elevator, and that such statement shall be an itemized statement showing the amount of expenses incurred in the processing tax matters, showing in detail the legal expenses paid, the amount and to whom paid, and by what authority. Also the number of claims for refunds paid and any and all information having to do with the handling of the processing taxes since its inception, any and all contracts for refunds and upon what basis they were settled. Also, as to how the processing tax refund checks were delivered, whether by mail or by person, and who delivered the same in person, if any were so delivered, and to whom they were delivered, and

the reason for so doing. This statement shall be a complete statement of all expense incurred by the State Mill and Elevator of whatsoever nature in handling the Processing Tax.

HOUSE CONCURRENT RESOLUTION "L": Introduced by Messrs. Seibel and Sandness, was read and referred to the Committee on Elections and Election Privileges.

HOUSE CONCURRENT RESOLUTION "M": Introduced by the Committee on Military Affairs, was read.

Mr. Morris moved that House Concurrent Resolution "M" be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

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

In the original Bill on page 2, line 4, strike out the words "of North Dakota".

In Section 2, line 5, insert the word "permit" preceding the word "therefore".

In Section 5, line 27, strike out the words and figures "Twenty-five (\$25.00) Dollars" and insert in lieu thereof the words and figures "Fifteen (\$15.00) Dollars".

On page 7, line 5, correct the spelling of the word "matter".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

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

In printed Bill, page 1, in the title, strike out the word "an emergency" and insert in lieu thereof the words "a deficit".

In line 3 of the title, after the word "department," strike out the period and insert in lieu thereof a "semicolon" and the words "Declaring an Emergency."

And when so amended recommended the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 34. 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.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.



Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; and Declaring an Emergency.

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

In the printed Bill, page 1, line 2, of the title, after the word "Fund," strike out period and insert in lieu thereof a "semicolon" and add the words "Declaring an Emergency."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Messrs. Ritter, Greiser and Jensen introduced:

House Bill No. 99. A Bill for an Act Authorizing, Directing and Empowering The Bank of North Dakota, as the Fiscal Agent of the State of North Dakota, to Sell Lands Acquired Through Mortgage Foreclosures, Fixing Terms Upon Which Such Sales Shall Be Made; Directing Sale Under Certain Conditions; Permitting Former Owners and Others to Petition for Sale; Requiring Land to Be Appraised; Fixing Minimum to Be Paid Annually; Fixing Rate of Interest and Authorizing The Bank of North Dakota to Prescribe Forms of Contract.

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

Messrs. Hultstrand, Freitag and Godwin introduced:

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

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

Messrs. Odegaard and Symington (by request) introduced:

House Bill No. 101. A Bill for an Act Requiring the Licensing of Auctioneers; Fixing Fees for Same; How and When Paid; Providing for Bond, and Penalty for Violation and Declaring an Emergency.

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

Mr. Hagen introduced:

House Bill No. 102. A Bill for an Act to Provide for the Continued Eradication of Predatory Animals; Making an Appropriation and Prescribing the Manner of Its Expenditure in Cooperation with the United States Department of Agriculture; Bureau of Biological Survey; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Mr. Frazier introduced:

House Bill No. 103. A Bill for an Act Requiring Every Secretary of All Boards Who Issue Licenses to Practice Any Profession, to File with the Secretary of State, Record of Licenses Issued and to Issue Copies Thereof.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

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, 87; nays, 14; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beaton	Jensen	Sand
Beggs	Jury	Sandness
Benno	Kapaun	Saumur
Biberdorf	Knutson, LaMoure	Savre
Bieloh	Krank	Schauss
Billigmeier	LaBerge	Schimke
Bjornson	Levin	Seibel
Black	Livingston	Semerad
Brown	Magill	Severson
Byrne	McIntee	Shurr, Bottineau
Caddell	Morland	Solberg
Dalzell	Myers	Sticka
Day	Nelson, Cass	Stray
Dittmer	Nelson, Sargent	Symington
Frazier	Niewoehner	Thompson
Freitag	Obach	Thoreson
Frey	O'Brien	Treffry

Messrs.	Messrs.	Messrs.
Frosaker	Odegard	Trydahl
Godwin	Oglesby	Tuff
Goodlaxon	Olson, Bowman	Tweten
Graham	Olson, McLean	Urschel
Greiser	Olson, Sargent	White
Hagen	Page	Wick
Haines	Peterson, Bot'neau	Williams
Hofstrand	Peterson, Renville	Wolf
Holmquist	Peterson, Richland	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Johnson	Morris
Gessner	Just	Norheim
Gilberg	Kraus	Shure, Cass
Holm	Langford	Twichell
Holthusen	Leum	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Dullea	McInnes
Beasley	Fitch	Olson, Adams
Brusseau	Jones	Traynor
Burgum	Knudson, Steele	Wendland

So the bill passed and the title was agreed to.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for the Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit the Time in Which Action May Be Brought to Enforce the Same, 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, as amended, the roll was called and there were ayes, 56; nays, 48; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Bowman
Akland	Hultstrand	Olson, McLean
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Johnson	Savre
Beaton	Jury	Schauss
Beggs	Just	Schimke
Biberdorf	Knutson, LaMoure	Semerad

Messrs.	Messrs.	Messrs.
Bjornson	Krank	Shurr, Bottineau
Black	LaBerge	Sticka
Burgum	Leum	Stray
Byrne	Levin	Thompson
Day	Livingston	Thoreson
Frazier	McIntee	Tuff
Godwin	Magill	Urschel
Goodlaxon	Myers	White
Hagen	Niewoehner	Wick
Haines	Obach	Mr. Speaker
Holm	O'Brien	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Hofstrand	Peterson, Richland
Bieloh	Holthusen	Rait
Billigmeier	Jensen	Ritter
Blair	Kapaun	Sandness
Brown	Kraus	Saumur
Caddell	Langford	Seibel
Dalzell	Morland	Severson
Dittmer	Morris	Shure, Cass
Fitch	Nelson, Cass	Solberg
Freitag	Nelson, Sargent	Symington
Frey	Norheim	Treffry
Frosaker	Odegard	Trydahl
Gessner	Oglesby	Tweten
Gilberg	Olson, Adams	Twichell
Graham	Olson, Sargent	Williams
Greiser	Page	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Knudson, Steele	Sand
Dullea	McInnes	Traynor
Jones	Pewe	Wendland

So the bill was declared lost.

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commissions.

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, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page
Akland	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Renville

Messrs.	Messrs.	Messrs.
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dahl	Livingston	Solberg
Dalzell	McIntee	Sticka
Dittmer	Magill	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Knudson, Steele	Traynor
Dullea	McInnes	Wendland
Jones	Olson, McLean	

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

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

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, 59; nays, 46; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Rait
Anderson	Jensen	Sandness

Messrs.	Messrs.	Messrs.
Anfinson	Just	Savre
Beaton	Knutson, LaMoure	Schauss
Beggs	Krank	Schimke
Biberdorf	Langford	Seibel
Bieloh	Levin	Semerad
Bjornson	Morland	Shurr, Bottineau
Brown	Myers	Solberg
Dittmer	Niewoehner	Sticka
Frey	Nelson, Sargent	Stray
Gilberg	Obach	Thoreson
Godwin	Odegard	Treffry
Goodlaxon	Oglesby	Tuff
Hagen	Olson, Adams	Tweten
Haines	Olson, Bowman	Urschel
Hofstrand	Olson, McLean	White
Holmquist	Peterson, Bot'neau	Wick
Hultstrand	Peterson, Richland	Williams
Huseby	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Greiser	O'Brien
Beasley	Holm	Olson, Sargent
Benno	Holthusen	Page
Billigmeier	Johnson	Peterson, Renville
Black	Jury	Ritter
Blair	Kapaun	Sand
Burgum	Kraus	Saumur
Byrne	LaBerge	Severson
Caddell	Leum	Shure, Cass
Dalzell	Livingston	Symington
Day	McIntee	Thompson
Fitch	Magill	Trydahl
Freitag	Morris	Twichell
Frosaker	Nelson, Cass	Wolf
Gessner	Norheim	Mr. Speaker
Graham		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Traynor
Dullea	Knudson, Steele	Wendland
Frazier	McInnes	

So the bill passed and the title was agreed to.

Mr. Freitag moved that the vote by which House Bill No. 36 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### GENERAL ORDERS

Mr. Wolf moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Wolf to the chair, and the House resolved into a Committee of the Whole.

The Speaker resumed the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$674,-966.00" and insert in lieu thereof the figures "\$668,725.00".

On page 2, line 22, change figures to "\$18,421.00; in line 25, change to "\$2,000.00"; in line 31, change to "\$16,660.00."

After line 31 insert line 31½, write in "Stenographic Bureau," also the figures "\$10,820.00."

In line 37, change figures to "\$5,500".

In line 40, change to "\$80,000.00"; line 43, change to "\$26,000.00"; line 45, change figures to read "\$834,775.00"; line 48, change to read "\$617,775.00.

In line 53, change total to "\$668,725.00".

And the further amendment:

In line 22 of the printed Bill after the words "salary adjustments," insert the following language: "to be applied on salaries under two thousand dollars per annum."

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

And recommend the adoption of the Standing Committee's amendments as follows:

In the last line of the title, substitute a comma for the period and add the following words: "and declaring an emergency."

Also,

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for



the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 10, Section 10254 of the printed bill, insert a comma after the word "hospital" and before the word "by".

Also,

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's Amendments as follows:

In the first line of the title of the bill strike out the word "State."

After the enacting clause strike out the remainder of the bill and insert the following:

Sec. 1. ORGANIZATION.) Any number of county mutual fire and lightning insurance companies, not less than five, organized under and by virtue of Sections 4932 to 4050, both inclusive, of the Compiled Laws of North Dakota for the year 1913, or Sections 4950a1 to 4950a21 both inclusive of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, may form a corporation for the purpose of reinsuring the fire and lightning risks of the members, on the mutual plan.

Sec. 2. ARTICLES OF INCORPORATION. BY-LAWS.) The Articles of Incorporation of such corporation shall contain the name, which shall include the words "mutual reinsurance company," purpose, the location of its principal place of business which shall be within this state, the term of its corporation which may be perpetual, the number of directors which shall not be less than five nor more than thirteen, and the names and residences of the persons who are to serve as such until the election and qualification of their successors, and the said articles of incorporation may set forth any other provisions which are permitted under the general incorporation laws of the state, or are permitted in the case of county mutual insurance companies. The by-laws of such farmers state mutual fire and lightning reinsurance company shall contain such provisions for the government of the company and the conduct of its business, as are permitted in the case of county mutual insurance companies.

Sec. 3. CERTIFIED COPY OF CERTIFICATE OF COMPLIANCE WITH LAW.) The Articles of Incorporation and the by-laws of such corporation, if found in conformity with this Act and not inconsistent with the laws and Constitution of this State, shall be approved by the Commissioner of Insurance, and a certified copy thereof shall be delivered to such members, and a certificate to the effect that said cor-

poration has complied with all the requirements of law, which, on being filed in the office of the register of deeds of the county where the principal office of the corporation is located shall be its authority to commence business and issue policies, and such certified copy of the Articles of Incorporation and of such certificate may be used for or against such company, with the same effect as the original, and shall be conclusive evidence of the fact of the organization of such corporation.

Sec. 4. ANNUAL STATEMENT.) The secretary of the company shall prepare and submit to the members thereof, at each annual meeting, a copy of the annual statement required to be filed with the commissioner of insurance, as provided in Section 4949 of the Compiled Laws of 1913, of the State of North Dakota.

Sec. 5. APPLICABILITY OF GENERAL LAWS.) In all other respects companies organized under the provisions of this act shall be subject to the provisions of the general laws of the State of North Dakota relating to county mutual companies.

Sec. 6. REPEAL.) All acts, or parts of acts, in conflict herewith are hereby repealed.

Also,

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 20 of the original Bill, correct the spelling of the word "extension".

And the futher amendments:

In the third line of the title of the printed Bill, after the word "Companies," strike out the period, insert a comma, and add the following: "and declaring an emergency."

In lines 2 and 3 of the title strike out the words "Session Laws for the Year 1915," and insert in lieu thereof the following: "Supplement to the Compiled Laws of North Dakota".

In Section 1, line 2, of the printed Bill, strike out the words "Session Laws of the 1915 Session," and insert in lieu thereof "Supplement to the Compiled Laws of North Dakota".

In the original bill, after the language, "Section 2. Emergency." add the following: "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."

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$26,420.00" and insert in lieu thereof the figures "\$30,470.00".

In line 39, change figures to "\$29,530.00" and in line 41 change figures to "\$30,470.00."

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Symington moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Shurr of Bottineau requested an extension of time on House Bill No. 33, which request was granted.

Mr. Anfinson requested that House Bill No. 92, which had been referred to the Ways and Means Committee, be re-referred to the Committee on Taxes and Tax Laws.

Mr. Godwin moved that Mr. Anfinson's request be granted, which motion prevailed and House Bill No. 92 was re-referred to the Committee on Taxes and Tax Laws.

Mr. Burgum moved that the absent members be excused, which motion prevailed.

CONCURRENT JOINT RESOLUTION "N" was read and referred to the Committee on State Affairs.

Mr. Godwin moved that the House recess until tomorrow at 1:00 p. m., which motion prevailed and the House was recessed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Ben F. Kludt, McClusky; John Dahl, McClusky; Geo. Wolff, Wishek; W. J. Hellwig, Wishek; J. P. Schrenk, Ventura; Joe B. Voeller, Rugby; C. A. Johnson, Langdon; J. C. Sethre, Lisbon; John Palm, Richardton; Martin Schiller, Dickinson; Fred Fringer, South Heart; John Sticka, Fargo; Clem Graves, Tokio; Bert Salisbury, Minnewaukan; Nels Baustad, Fillmore; John Kirkeide, Brinsmade; Irene Ness, Leon Ellithorpe, Mrs. O. G. Frosaker, Minot; Wally Butter, Mrs. C. J. O'Keefe, Evelyn O'Keefe, Henry Link, Grand Forks; A. D. Malstrom, Mapleton; Ed. Rieker, Tappen; Dr. A. O. Henderson, Mandan; J. A. McGovern, Fargo; L. L. Martin, Minneapolis, Minn.; Rev. Jos. Austin, Hannah; Jos. B. Voeller, Rugby; Christ Flutsch, Jamestown; Mrs. Jos. B. Voeller, Rugby; Otto Rasmussen, Cavalier, John O. Ryan, Cavalier; Tillie Sperling, Bismarck; Violet Bauel, Bismarck; Jack Reidel, Stanton; John Pollock, Fargo; H. H. Bond, Fargo; Torger Sinness, Devils Lake; James Brastrup, Courtney; Aldyth Ward, Bismarck; M. Helen McKeen, Grand Forks; Mrs. Sam Oglesby, Valley City; F. D. McCartney, Oakes.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-FOURTH DAY AFTER RECESS AND  
TWENTY-FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 29, 1937.

The House convened at 1:00 p. m., pursuant to recess, Speaker Dahl presiding.

Mr. Godwin moved that the House be on the fifteenth order of business, which motion prevailed.

GENERAL ORDERS

Mr. Holthusen moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Holthusen to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$385,012.55," insert in lieu thereof the figures "348,279.51".

Page 2, line 13, strike out the figures "\$6,728.00" insert the figures "\$6,000.00".

Page 2, line 14, strike out the figures "\$4,500.00" insert the figures "\$3,500.00".

Page 2, line 21, strike out the figures "\$69,407.20" insert the figures "\$60,000.00".

Page 2, line 22, strike out the figures "\$31,576.96" insert the figures "\$30,000.00".

Page 2, line 28, strike out the figures "\$20,000.00" insert the figures "\$18,000.00".

Page 2, line 33, strike out the figures "\$2,000.00" insert the figures "\$1,200.00".

Page 3, line 36, strike out the figures "\$21,178.60" insert the figures "\$20,000.00".

Page 3, line 37, strike out the figures "\$60,000.00" insert the figures "\$65,000.00".

Page 3, line 38, strike out the figures "\$9,826.00" insert the figures "\$5,000.00".

Page 3, line 39, strike out the figures "\$50,000.00" insert the figures "\$37,510.00".

Page 3, line 40, strike out the figures "\$6,883.28" insert the figures "\$6,000.00".

Page 3, line 41, strike out the figures "\$35,000.00" insert the figures "\$30,000.00".

Page 3, line 43, strike out the figures "\$17,160.00" insert the figures "\$16,817.00".

Page 3, line 45, strike out the figures "\$692,659.60" insert the figures "\$657,769.56".

Page 3, line 48, strike out the figures "\$323,687.55" insert the figures "\$288,797.51".

Page 3, line 59, strike out the figures "\$5,500.00" insert the figures "\$5,000.00".

Page 4, line 70, strike out the figures "\$3,500.00" insert the figures "\$2,500.00".

Page 4, line 61, strike out the figures "\$3,500.00" insert the figures "\$348,279.51".

And the further amendments:

In the committee report change the wording "Page 4, line 70" to Page 4, line 61". Also change the language "Page 4, line 61" to read "Page 4, line 70". Also, strike out the figures "3,500.00" in the next to the last line of the committee amendments, and insert in lieu thereof the figures "\$385,012.55."

And recommend that action on the bill be deferred one calendar day.

Also,

House Bill No. 49. A Bill for an Act to Provide for a Civil Service Commission; Defining the Powers, Duties and Compensation of Such Commission; Providing for and Defining a

Classified Civil Service for the State of North Dakota; Granting to Such Commission the Duty to Make Rules for Examination and Certification of Persons Eligible for Appointment to Positions; Making Rules for Appointment, Promotion, Transfer, and Re-instatement of Persons to Positions in Such Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying Salaries and Other Expenses.

And recommend the adoption of the Standing Committee's amendments as follows:

Sec. 2, line 4, change salary from \$500 to \$120.

Sec. 9, line 15, insert the word "capacity" after the word "the" and before the words "and ability".

Sec. 9, line 37, change fees from \$3.00 to \$2.00.

Sec. 9, line 38, after the word application add the words "said fees to be placed in general funds."

In title Sec. 16, correct spelling word "service".

And the further amendment:

Amend the committee report as follows: Strike out the words "said fees to be placed in general funds" and insert in lieu thereof the words "said fee to be placed in state general fund".

And recommend that the bill be indefinitely postponed.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00".

On page 2, line 20, change to "\$5,000.00".

On page 2, line 33, change to "\$656,595.20".

On page 2, line 27, change to "\$42,240.00".

And recommend that action on the bill be deferred one calendar day.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$94,234.00".

Page 2, line 13, insert "maintenance"; also, the figures "\$16,817.00".

Page 2, line 14, change to "\$259,999.58".

Page 2, line 16, insert "net maintenance" and insert the figures "\$16,817.00".

Page 2, between lines 18 and 19, insert a new line known as No. 18½, and write "New Swine Investigation Building" and write "\$8,858.00".

Page 2, line 26, write in "Ice Cream Equipment".

Page 2, line 28, change total to "\$81,234.00".

Page 3, line 37, change total to "\$94,234.00".

And recommend that action on the Bill be deferred one calendar day.

Also,

House Bill No. 50. A Bill for an Act Relating to the Repossessing of Property Sold Under Conditional Sales Contract or Contracts Reserving Title in the Seller; Requiring Service of Notice of Intention to Repossess; Fixing Terms Under Which Possession May Be Taken; Limiting the Right of the Seller; Authorizing District Judges to Make Orders With Reference Thereto.

And recommend the adoption of the Standing Committee's amendments as follows:

In Section 2, line 3, strike out word "condition" and insert the word "conditionally".

And the further amendments:

Amend the report of the Standing Committee by striking out the word "conditionally" and inserting in lieu thereof the word "conditional".

And recommend that further action on the Bill be deferred.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 4 of the Title after the word "therefor" add a comma and "Declaring an Emergency."

In line 15 of the original Bill which is line 5 of the printed Bill, after the word "shall," insert the following: "be elected by the legal voters thereof and who shall".

In line 20 of the original Bill which is line 11 of the printed Bill, strike out the word "fifteen" and insert in lieu thereof the word "six".

In line 24 of the original Bill which is line 14 of the printed Bill after the word "shall," strike out the words "be a farmer residing" and insert in lieu thereof the word "reside".

And the further amendment:

In line 4 of the Title of the printed Bill, following the comma after the word "therefor," insert the word "and".

And when so amended, recommend the same do pass.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In Section 1, line 26 of the original Bill, after the word "Section 1," insert the word "Amendment". Also in Section 1, line 45 of the original Bill, after the word "By," strike out the word "this" and insert in lieu thereof the following: "his or her". Also in Section 3, line 2, of the original Bill, after the word "Passage," strike out the period and insert the words "and approval".

And when so amended, recommend the same do pass.

Also,

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Of-



officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the Title insert the following: "Be it enacted by the Legislative Assembly of the State of North Dakota." Also in line 13, of original Bill, correct the spelling of the word "Providing". Also in line 5, Section 1, Amendment, correct the spelling of the word "Law". Also in line 1, Section 1, after the word "Provided," strike out the period and insert a comma. Also in Section 5, line 2, after the word "Passage," strike out the period and insert the following: "And Approval".

And the further amendment:

In Section 2, line 1, after the word "sheriffs," insert the following words: "and county superintendents of schools".

And when so amended, recommend the same do pass.

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the title, strike out the period and insert a "semicolon" and the following words: "and declaring an emergency."

After the title, strike out the "enacting clause."

In the last line of Section 5, of the original Bill, correct the spelling of the word "same".

And when so amended, recommend the same do pass.

J. D. HOLTHUSEN,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be divided as to House Bills Nos. 50, 26, 27, 49 and 28, which motion prevailed.

Mr. Godwin moved that the House adopt the report of the Committee of the Whole as to House Bills 72, 73, 57 and 29, which motion prevailed.

Mr. Godwin moved that House Bill No. 50 be re-referred to the Committee on Ways and Means, which motion prevailed.

Mr. Godwin moved that the report of the Committee of the Whole be adopted as to House Bill No. 49, which motion prevailed.

Mr. Wolf moved that the House adjourn, which motion prevailed and the House was adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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#### TWENTY-FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 29, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Walter E. Vater of Bismarck.

The roll was called and all members were present except Representatives Anderson, Brusseau, Day, Dullea, Godwin, Jones, Knudson of Steele, Nelson of Sargent, Traynor and Treffry.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-third day after recess and twenty-fourth day and recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Olson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck North Dakota,  
January 29, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 29, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commissions.

Also,

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Also,

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Which the House has passed and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

Resolution from North Dakota Association of Hairdressers and Cosmetologists was read by the Clerk.

Mr. O'Brien moved that communications and resolutions received by the House be referred to the proper committees, and that reading of such communications and resolutions be omitted, which motion prevailed.

Communication from Mrs. John Burns of Norwich, referred to Committee on Education.

## HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

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

On the original bill, page 3, Section 2, line 3, strike out the words and figures "Ten Dollars (\$10.00)" and insert in lieu thereof the words and figures "Six Dollars (\$6.00)".

On page 4, Section 9, line 27, strike out the words "The State of North Dakota" and insert in lieu thereof the words "Any city covered by this act".

On page 7, Section 19, line 29, strike out the figures "5000" and insert in lieu thereof "3000 according to the last official

census". Line 30 in the same section strike out the figures "5000" and insert in lieu thereof the figures "3000".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Have had the same under consideration and recommend that the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Have had the same under consideration and recommend that the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 70. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Providing for the Assessment of All Property Not Otherwise Taxed at Its Full Value, the Determination of Such Value, the Exemption of Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and House Bill No. 70 was indefinitely postponed.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

In line 9 of the title of the Original Bill, after the word "basis" insert the following: "Of assessment of Property for Taxation Purposes, And to Reduce Such Basis".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Drainage and Irrigation made the following report:

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred:

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

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

In lines 1 and 2 of the title, strike out the words "taken under Chapter 116, Laws of 1919", and the comma.

And when so amended recommend the same do pass.

M. D. GRAHAM,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Messrs. Magill and Schauss introduced:

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

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

Messrs. Schauss and Magill introduced:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Re-

lating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

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

Mr. Godwin, (recommended by the Tax Survey Commission), introduced:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

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

Mr. Godwin, (recommended by the Tax Survey Commission), introduced:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

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

Mr. Godwin, (recommended by the Tax Survey Commission), introduced:

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing that the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

Mr. Godwin introduced:

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of



North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

Mr. Godwin, (recommended by the Tax Survey Commission), introduced:

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, 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.

Mr. Godwin, (recommended by the Tax Survey Commission), introduced:

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, 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 Taxes and Tax Laws.

Mr. Godwin, introduced:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

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

Messrs. Graham, Fitch and Livingston introduced:

House Bill No. 113. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life Insurance Agents Who Are Residents of Another State.

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

Messrs Hagen and Bjornson introduced:

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violations of Provisions Hereof.

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

Messrs Hagen and Bjornson introduced:

House Bill No. 115. A Bill for an Act Prescribing the Limits Within Which Rubbish and Trash May Not Be Burned Within the Limits of Cities, Towns, and Villages of This State; Prescribing Penalties for Violations of the Provisions Hereof and Establishing the Amount of Damages Recoverable by Persons Injured by Reason of Violations of the Provisions Hereof.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Hagen and Ritter introduced:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; 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 Insurance.

Mr. Akland (by request) introduced:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 7, Session Laws of 1933, Forbidding the Purchase of Stock by Licensed Buyers Unless Accompanied by a Certificate of Ownership; Repealing 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.

Messrs. Graham and Niewoehner introduced:

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Messrs. Ireland and Solberg introduced:

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith:

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

#### SEVENTH ORDER OF BUSINESS

Mr. Sand moved that House Bills No. 26, 27 and 28 be referred to Committee on Appropriations.

Which motion prevailed.

Mr. Sand moved that Senate Bill No. 14 be re-referred to the Appropriations Committee.

Which motion prevailed.

Mr. Sand moved that action on Senate Bill No. 6 be deferred one legislative day.

Which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe
Beaton	Jury	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Savre
Black	LaBerge	Schauss
Blair	Langford	Schimke
Brown	Leum	Seibel
Burgum	Levin	Semerad

Messrs.	Messrs.	Messrs.
Byrne	Livingston	Severson
Caddell	McInnes	Shure, Cass
Dalzell	McIntee	Shurr, Bottineau
Dittmer	Magill	Solberg
Fitch	Morland	Sticka
Freitag	Morris	Stray
Frey	Myers	Symington
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Cass	Thoreson
Gilberg	Nelson, Sargent	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Knudson, Steele
Beggs	Frazier	Traynor
Brusseau	Jones	Treffry
Day		

So the bill passed and the title was agreed to.

Mr. Godwin moved that House Bills 24, 55, 20 and 25 be moved to the foot of the calendar in order named.

Which motion prevailed.

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to 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, 102; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Holthusen	Page
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Jury	Ritter

Messrs.	Messrs.	Messrs.
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brown	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Dittmer	Magill	Solberg
Fitch	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Morland	Symington
Frey	Morris	Thompson
Frosaker	Myers	Thoreson
Gessner	Nelson, Sargent	Trydahl
Gilberg	Niewoehner	Tuff
Godwin	Norheim	Twetén
Goodlaxon	Obach	Twichell
Graham	O'Brien	Urschel
Greiser	Odegard	Wendland
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.  
Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Sand
Brusseau	Knudson, Steele	Traynor
Day	Nelson, Cass	Treffry
Dullea		

So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

Was read the second time.

Mr. Godwin moved that further consideration of Senate Bill No. 36 be indefinitely postponed, which motion prevailed and Senate Bill No. 36 was indefinitely postponed.

Senate Bill No. 34. 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 second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 4; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Oglesby
Akland	Holmquist	Olson, Adams
Anfinson	Holthusen	Olson, Bowman
Beasley	Hultstrand	Olson, McLean
Beaton	Huseby	Olson, Sargent
Beggs	Ireland	Peterson, Bot'neau
Benno	Jensen	Peterson, Renville
Biberdorf	Johnson	Peterson, Richland
Bieloh	Jury	Pewe
Billigmeier	Just	Rait
Bjornson	Kapaun	Ritter
Black	Knutson, LaMoure	Sandness
Blair	Krank	Saumur
Brown	Kraus	Savre
Burgum	LaBerge	Schauss
Byrne	Langford	Seibel
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Dittmer	Livingston	Shurr, Bottineau
Fitch	Magill	Solberg
Frazier	McInnes	Sticka
Freitag	McIntee	Thompson
Frey	Morland	Thoreson
Frosaker	Morris	Trydahl
Gessner	Myers	Tweten
Gilberg	Nelson, Cass	Twichell
Godwin	Nelson, Sargent	Urschel
Goodlaxon	Niewoehner	Wendland
Graham	Norheim	White
Greiser	Obach	Wick
Hagen	O'Brien	Wolf
Haines	Odegard	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Tuff	Williams
Symington		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Semerad
Brusseau	Knudson, Steele	Stray
Day	Sand	Traynor
Dullea	Schimke	Treffry

So the bill passed and the title was agreed to.

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

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, 70; nays, 31; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Holthusen	Olson, Bowman
Beasley	Huseby	Olson, Sargent
Beggs	Johnson	Page
Benno	Jury	Peterson, Bot'neau
Biberdorf	Kapaun	Peterson, Renville
Billigmeier	Krank	Peterson, Richland
Bjornson	Kraus	Pewe
Black	LaBerge	Sand
Blair	Langford	Sandness
Brown	Leum	Savre
Burgum	Levin	Schimke
Byrne	Livingston	Seibel
Caddell	McInnes	Shure, Cass
Fitch	Magill	Shurr, Bottineau
Frey	Morland	Sticka
Frosaker	Morris	Symington
Gessner	Nelson, Cass	Thompson
Gilberg	Nelson, Sargent	Trydahl
Godwin	Niewoehner	Twichell
Goodlaxon	Norheim	Urschel
Graham	Obach	Wendland
Greiser	O'Brien	White
Haines	Odegard	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Semerad
Akland	Jensen	Severson
Bieloh	Just	Solberg
Dalzell	Knutson, LaMoure	Stray
Dittmer	McIntee	Thoreson
Frazier	Myers	Tuff
Freitag	Oglesby	Twetén

Messrs.	Messrs.	Messrs.
Hagen	Olson, Adams	Wick
Hofstrand	Olson, McLean	Williams
Holmquist	Rait	Wolf
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Saumur
Beaton	Jones	Schauss
Brusseau	Knudson, Steele	Traynor
Day	Ritter	Treffry

So the bill passed and the title was agreed to.

Mr. Solberg: I want to explain my vote and have it recorded in the Journal. My reason for voting "no" on this was not that I am voting against the coal mine inspector, but I think the figures can be whittled down considerably, owing to the fact that we are facing a considerable shortage of funds in the state.

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, 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, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Peterson, Renville
Akland	Johnson	Peterson, Richland
Anfinson	Jury	Pewe
Beasley	Just	Rait
Beggs	Kapaun	Ritter
Benno	Knutson, LaMoure	Sand
Biberdorf	Krank	Sandness
Bieloh	Kraus	Saumur
Billigmeier	LaBerge	Savre
Bjornson	Langford	Schauss
Black	Leum	Schimke
Blair	Levin	Seibel
Brown	Livingston	Semerad
Burgum	Magill	Severson
Byrne	McInnes	Shure, Cass
Dalzell	McIntee	Shurr, Bottineau
Dittmer	Morland	Solberg
Fitch	Morris	Sticka
Freitag	Myers	Stray
Frey	Nelson, Cass	Symington
Frosaker	Nelson, Sargent	Thompson



Messrs.	Messrs.	Messrs.
Gilberg	Niewoehner	Thoreson
Goodlaxon	Norheim	Trydahl
Graham	Obach	Tuff
Greiser	O'Brien	Tweten
Hagen	Odegard	Twichell
Hofstrand	Oglesby	Urschel
Holm	Olson, Adams	Wendland
Holmquist	Olson, Bowman	White
Holthusen	Olson, McLean	Wick
Hultstrand	Olson, Sargent	Williams
Huseby	Page	Mr. Speaker
Ireland		

Those voting in the negative were:

Messrs.  
Frazier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Knudson, Steele
Beaton	Gessner	Peterson, Bot'neau
Brusseau	Godwin	Traynor
Caddell	Haines	Treffry
Day	Jones	Wolf

So the bill passed and the title was agreed to.

#### GENERAL ORDERS

Mr. Holthusen moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Holthusen to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

And recommend that the bill be referred back to the committee for correction.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and

Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In the original Bill, on page 2, line 4, strike out the words "of North Dakota".

In Section 2, line 5, insert the word "permit" preceding the word "therefore".

In section 5, line 27, strike out the words and figures "Twenty-five (\$25.00) Dollars" and insert in lieu thereof the words and figures "Fifteen (\$15.00) Dollars".

On page 7, line 5, correct the spelling of the word "matter".

And the further amendments:

In line 4 of the committee's amendments, correct the spelling of the word "therefor".

On page 5, line 31, strike out the words and figures "Ten Thousand (\$10,000.00) Dollars" and insert in lieu thereof the words and figures "Fifteen thousand (\$15,000.00) Dollars".

On page 5, line 39, strike out the words and figures "Five Hundred (\$500.00) Dollars" and insert in lieu thereof the words and figures "One thousand (\$1,000.00) Dollars".

And when so amended recommend the same do pass.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed Bill, page 1, in the title, strike out the word "an emergency" and insert in lieu thereof the words "a deficit".

In line 3 of the title, after the word "department," strike out the period and insert in lieu thereof a "semicolon" and the words "Declaring an Emergency."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

And recommend that action on Senate Bill No. 48 be deferred.

Also,

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed Bill, page 1, line 2, of the title, after the word "Fund," strike out period and insert in lieu thereof a "semicolon" and add the words "Declaring an Emergency."

And when so amended recommend the same do pass.

J. D. HOLTHUSEN,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that Senate Bill No. 48 be messaged back to the Senate for the Senate amendments, which motion prevailed.

Mr. Godwin moved that the House authorize the Chief Clerk to instruct the chairman of the printing commission, who is the Secretary of State, that the work of the engrossing clerk is entirely unsatisfactory to the House, and request the securing or letting of a new contract for that work, which motion prevailed.

Mr. Godwin moved that the House recess to 1:30 p. m., tomorrow, which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Gertrude Quam, Cavalier; Wm. Greyerbiehl, Mandan; Eva A. Fodgerud, Cooperstown; Helen M. Schell, Williston; A. G. Strand, Grafton; Jean McGillivray, Cando; A. M. Waller, D. E. Holm, Minot; Judge G. Grimson, Mrs. G. Grimson, Lynn G. Grimson, Rugby; Herman F. Dietz, Beach; Anna M. Rother, Ramsey; Leo Burnstad, Napoleon; Earl Olson, Schafer; T. O. Kraable, Fargo; John S. Ceglowski, Minot; Frank Webb, Bismarck; O. E. Berg, Lakota; L. M. Johnson, Grand Forks; P. D. Kelesgard, Bismarck; Mr. E. E. Salzman, Mandan; K. H. Brunsdale, Portland; Lewy Lee, Mayville; Al Wilkes, Balta; John Gross, Gabriel Tuchscherer, Rugby; O. Gunwaldson, Fargo; Dr. W. E. Cole, Bismarck; Mr. O. L. Short, Valley City; Dr. Albert Hollenberg, Fargo; Dr. T. L. Stangly, New England; Dr. Russell Sand, Fargo; Philip Schiff, Bottineau; Dave Henley, Fargo; D. E. Paletz, Grand Forks; Rev. A. M. Wiley, Jamestown; Ed. Doerr, Ashley; Ernest McDonald, Souris; Philip Schiff, Mohall; Bert Smutz, Devils Lake; Mrs. Oscar Hagen, Watford City, George Olson, Charlson; V. C. Gessner, Bottineau.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-FIFTH DAY AFTER RECESS AND  
TWENTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 30, 1937.

The House convened at 1:30 p. m., pursuant to recess, Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Page moved that the absent members be excused, which motion prevailed.

GENERAL ORDERS

Mr. Burgum moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Jensen to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Vio-

lation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

And recommend the adoption of the Standing Committee's amendments as follows:

On the original bill, page 3, Section 2, line 3, strike out the words and figures "Ten Dollars (\$10.00)" and insert in lieu thereof the words and figures "Six Dollars (\$6.00)".

On page 4, Section 9, line 27, strike out the words "The State of North Dakota" and insert in lieu thereof the words "Any city covered by this act".

On page 7, Section 19, line 29, strike out the figures "5000" and insert in lieu thereof "3000 according to the last official census". Line 30 in the same section strike out the figures "5000" and insert in lieu thereof the figures "3000".

And the further amendment.

On page 7, line 15, strike out the period after the word "act", and insert a comma in lieu thereof.

Also,

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at the Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend that action on House Bill No. 69 be deferred.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In lines 1 and 2 of the title, strike out the words "taken under Chapter 116, Laws of 1919", and the comma.

And the further amendment:

That the report of the Standing Committee be amended by striking out the word "Taken" in said report and replacing it in the title.

In line one of the title of the printed bill after the word "Proceedings" insert the word "Heretofore".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the vote by which House Bill No. 49 was declared lost be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 49 be re-referred to the Committee on Ways and Means, which motion prevailed.

Mr. Page moved that House Bill No. 69 be re-referred to the Committee on Taxes and Tax Laws, which motion prevailed.

Mr. McInnes asked permission to withdraw House Bill No. 86.

Mr. Godwin moved that the House accede to Mr. McInnes' request to withdraw House Bill No. 86, which motion prevailed.

Mr. Godwin moved that the House support the Committee on Appropriations in the matter of the three percent salary adjustment.

Mr. Williams: I want to say a few words, and I want my remarks printed in the Journal.

Friends, we were elected on a platform to cut expenses in the State of North Dakota. We are two years harder up than we ever were in the history of the state. There are many men and women in the country today living on fifteen and twenty dollars a month, and these people included under the salary adjustments are getting all the way from two hundred and fifty to three hundred dollars a month. Is that fair? We were elected on a platform to cut expenses. It isn't fair for us to go home to the men and women who expected us to do something for them, and tell them that we have raised the salaries of those who are living in luxury.

We are keeping them in luxury. Are we going home without having made any protest at all? Its a crime, and it has always been a crime. The farmers of this state have produced the wealth, and now sixty percent of them are on doles, and then we are expected to raise the salaries of these people to keep them in fine clothes, and cars, and its a crime. I am for cutting it down to the last ditch.

The question being on Mr. Godwin's motion, a roll call was demanded and granted.

### ROLL CALL

The question being on Mr. Godwin's motion, the roll was called and there were ayes, 41; nays, 59; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beaton	Godwin	Peterson, Renville
Beggs	Greiser	Ritter
Benno	Holthusen	Sand
Blair	Hultstrand	Saumur
Burgum	Johnson	Schauss
Byrne	Jury	Schimke
Dalzell	Kraus	Shure, Cass
Day	LaBerge	Symington
Fitch	Levin	Thompson
Frazier	McInnes	Trydahl
Frey	Morris	Twichell
Frosaker	Myers	Urschel
Gessner	Norheim	Mr. Speaker
Gilberg	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Pewe
Akland	Just	Rait
Anfinson	Kapaun	Sandness
Beasley	Knutson, LaMoure	Savre
Biberdorf	Langford	Seibel
Bieloh	Livingston	Semerad
Billigmeier	McIntee	Severson
Black	Magill	Shurr, Bottineau
Brown	Morland	Solberg
Caddell	Niewoehner	Sticka
Freitag	Nelson, Sargent	Stray
Goodlaxon	Obach	Thoreson
Graham	O'Brien	Tuff
Hagen	Odegard	Tweten
Haines	Oglesby	Wendland
Hofstrand	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Williams
Huseby	Peterson, Bot'neau	Wolf
Ireland	Peterson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Nelson, Cass
Bjornson	Knudson, Steele	Olson, Adams
Brusseau	Krank	Traynor
Dittmer	Leum	Treffry
Dullea		

So the motion was declared lost.

Mr. Myers: I want to explain my vote, and have my remarks printed in the Journal.

I think this is a rather peculiar situation in which we are placed. This salary increase has been quite a bone of contention here. Now we have appointed these committees, and while I am opposed to the proposition of increasing salaries, I understand that these salaries are in the lower brackets, for common labor and work around the institutions, and I have faith in the judgment of the two committees and in the administration. For this reason I vote "aye" on this motion.

Mr. Thompson: I want to explain my vote, and have my remarks printed in the Journal.

The way I felt about it on that committee, a lot of these people, janitors and such as that, are getting very little pay. The Senate has already agreed on that, and want us to agree with it, and unless we do agree with it we will waste more time arguing on these bills, and having conference committee reports, then we will possibly save. There are many places in the state where we can cut down our expenses and save that money back twice over, and avoid controversy in the committee. When you fellows have been on the Appropriations Committee as long as I have, you will find that you have to give and take a little bit, and a three percent adjustment to the fellows who are getting thirty or forty dollars a month isn't going to amount to anything for the taxpayers. We are going to waste more of their money arguing this matter than we would save. I vote "aye."

Mr. Beggs: I voted "aye" because as a member of the Appropriations Committee we agreed to do that, and I vote "aye" in support of the Appropriations Committee.

Mr. Frazier: I voted "aye" on that motion because I felt the people were entitled to it. I voted "aye" on it, not because somebody is getting less than we are, but because I want to bring other people up to what they are entitled to be up to, and I am not for bringing anybody down. I want to raise the standard of living for those people who cannot now keep up with the American standard of living. I think they are entitled to the raise.

Mr. Magill:

I voted "no," not because I didn't like to see these people get the raise, but I vote "no" on that for the irrefutable reason that there are a great many people in North Dakota who



are serving well and who are not going to be affected except adversely. If the people there have their jobs now, we are not going to take them away, and I think it is only up to them to do their share to tide us over this period of depression.

Mr. Wolf moved that the House adjourn, which motion prevailed and the House adjourned.

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TWENTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
January 30, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Walter E. Vater of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Bjornson, Brusseau, Dittmer, Dullea, Jones, Knudson of Steele, Krank, Leum, Nelson of Cass, Olson of Adams, Traynor and Treffry.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-fourth Day after Recess and Twenty-fifth Day and recommend that the same be corrected as follows:

January 28th, page 290, roll call on House Bill 36, Forbidding Compulsory Military Training, shows: Freitag voting "no"; correct to Freitag voting "aye".

January 28th, page 251, following Sec. 5 in Report in General Orders, put in Section 6 "Repeal. All Acts or parts of Acts in Conflict Herewith are Hereby Repealed."

January 29, page 315, line 30, renumber House Bill "25" to read "24".

Page 316, House Bill 31, and also on page 320, Senate Bill 1, strike off "and the emergency clause was declared carried."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 30, 1937.

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

Senate Bill No. 34. 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.

Also,

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Which the House has passed unchanged.

Very respectfully,  
MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
January 30, 1937.

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

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

Which the House has indefinitely postponed.

Very respectfully,  
MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Also,

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

Also,

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

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

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

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

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning

Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION "M"

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

For proper engrossment.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

Communication from Harry L. Hopkins, administrator of the Works Progress Administration of Washington, D. C., was read.

Communication from the LaMoure Labor Club, urging the passage of House Bill No. 21.

January 30, 1937.

To the Honorable House of Representatives,  
25th Legislative Assembly,  
Bismarck, North Dakota.

In compliance with House Resolution "E", I requested Mr. F. F. Burchard, Certified Public Accountant, who is now making an audit of the State Mill and Elevator, to submit to me the information desired in House Resolution "E".

I wish to call your attention to the fact that Mr. Burchard's report at this time does not cover all the information desired in House Resolution "E". I am unable to comply with all of this resolution at this time, due to the fact I have no records in this office prior to 1931, in connection with the State Mill and Elevator, as they were all destroyed in the capitol building fire. However, I have requested Mr. Burchard to submit the balance of the information to comply with House Resolution "E" and this will be forthcoming within the next few days.

In compliance with that part of Resolution "E", inquiring if there was any one delivered processing tax refund checks in person, representing the State Mill and Elevator, I beg to advise you that I have been reliably informed that Mr. Stephen TerHorst, who was Acting Manager of the State Mill and Elevator, delivered in person some \$87,000.00 in checks to the Purity Bakery Account, the Regan Bakery Account and the Midland Bakery Account, all of Chicago, Illinois. It is my information that this was done the latter part of December, or the fore part of January, 1937, and on January 5, 1937, Mr. A. J. Scott was appointed Acting Manager of the State Mill and Elevator and discovered that these accounts had been overpaid some \$27,000.00, according to the report of the Certified Public Accountant, Mr. Burchard, and as Acting Manager of the Mill, Mr. Scott ordered payment stopped on these checks, and this was done.

I will comply with the balance of this request just as soon as it is possible to assemble the information desired.

Yours respectfully,

N. D. INDUSTRIAL COMMISSION,  
By JAMES MULLOY,  
Secretary.

January 29, 1937.

James Mulloy, Secretary,  
Industrial Commission,  
Bismarck, North Dakota.  
Sir:

In compliance with your request of even date and pursuant to House Resolution "E," I give you the following information relative to Processing Tax expenditures at the State Mill and Elevator.

This information does not cover all the matters referred to in said Resolution "E" but is all I have available in certain papers I have with me in Bismarck. Upon my return to Grand Forks I will complete the data, if possible, and give you a further statement.

RECAP. OF PROCESSING TAX EXPENSE

The Processing Tax Expense Account shows disbursements of \$138,324.27, as follows:

GENERAL ITEMS

Date			
	Horace Young, Fargo, legal.....	\$6,199.45	
1-31-1936	Fylken, Taking Inventory .....	30.97	
1-31-1936	Hoefer, Taking Inventory .....	10.34	
1-31-1936	G. Canfield, Taking Inventory .....	16.16	
		\$6,256.92	
	General Baking Co., refund of all processing taxes paid by them.....		68,619.26

OTHER DISBURSEMENTS

I am unable to identify the purpose for which most of the following payments were made. The Accounting Department is unable to explain what work in connection with processing tax was performed:

Kenneth Dale—1-14 to 4-30-36:			
	Local (Grand Forks) Expense .....	\$ 313.02	
	Travel .....	364.77	
	Salary .....	595.00	
		\$1,272.79	
Fritz Mongeon—1-14 to 4-30-1936:			
	Travel .....	699.00	
	Salary .....	352.50	
		1,051.50	
Oscar Ronniger—1-14 to 3-13-1936:			
	Travel .....	225.33	
	Salary .....	180.00	
		405.33	

W. J. (Bill) Nickolaus—1-14 to 4-28-1936:		
Travel .....	905.57	
Salary .....	600.00	1,505.57
A. L. Falland—1-14 to 4-30-1936:		
Travel .....	578.80	
Salary .....	600.00	1,178.80
Sid Papke—1-18 to 3-13-1936:		
Expense .....	518.50	
Salary .....	360.00	878.50
H. R. McDonald—1-18 to 4-28-1936:		
Expense .....	467.16	
Salary .....	486.00	953.16
Oscar Odegard, Pekin—1-24 to 3-13-1936:		
Special .....	242.61	242.61
H. C. Knudson, Hurdsfield—1-24 to 3-13-1936:		
Special .....	261.86	261.86
W. D. Mitchell:		
Travel .....	140.79	
Salary .....	207.61	348.40
M. H. Peterson:		
Travel .....	173.10	
Salary .....	245.00	418.10
H. E. Wohl, Washburn—2-15 to 3-15-1936:		
Expenses .....	149.45	
Salary .....	170.00	319.45
T. H. Goldberg—2-15 to 3-24-36 .....	491.51	491.51
W. A. Pinkham:		
Expenses .....	223.19	
Salary .....	272.24	495.43
W. E. Matthaei, Fessenden:		
Advances, 2-24; 5-26 and 6-30-1936.....	750.00	750.00
T. H. H. Thoresen, Grand Forks:		
Consultation and Expenses .....	756.30	756.30
Fred Graham, Ellendale:		
Advance, \$500.00 and Expenses \$48.49..	548.49	548.49
O. J. Harris:		
Expenses .....	156.93	
Salary .....	310.00	466.93
Don Sathre .....	105.02	105.02
O. H. Hoff, Unidentified .....	436.05	436.05
Conrad Johnson .....	375.31	375.31
Al Sundfor .....	489.10	489.10

Wheelchan .....	272.05	272.05
Reimos .....	205.34	205.34
Thexton .....	350.10	350.10
Canfield .....	236.85	236.85
W. E. Black .....	355.05	355.05
Not Found:		
June 30, 1936—Voucher 17,843.....	7,349.75	7,349.75
(The voucher is missing and we have been unable to identify this item).		
Undistributed Expense—Account No. 35.	4,209.00	4,209.00
(This account has not yet been analyzed).		
Miscellaneous:		
1-22-1936 Greater N. Dak. Assn. ....	100.00	100.00
1-31-1936 Flexton, St. Thomas .....	35.35	35.35
1-31-1936 Grain Inventory and Weigh- ing—an arbitrary charge, unsup- ported .....	5,090.31	5,090.31
Injunction Bond .....	1,000.00	1,000.00
Transferred to Account No. 32, Voucher No. 17,844 .....	30,893.73	30,893.73
(This account covers Flour Tax and has not been analyzed).		
To Balance (Suspense) .....	91.86	91.86
		\$138,324.27

The above is true and correct and in accordance with the records at the State Mill and Elevator.

Respectfully,

F. F. BURCHARD,  
Cert. Public Accountant.

#### REPORTS OF STANDING COMMITTEES

##### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts



of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Also,

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

The committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred

JOINT CONCURRENT RESOLUTION NO. "N" A Concurrent Joint Resolution authorizing the North Dakota Rural Rehabilitation Corporation to Transfer its Assets and properties to the United States of America; and

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

On the back of the cover where it appears in the heading and the title strike out the word "Concurrent."

On page 1 in the heading strike out the word "Concurrent."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Representative Twitchell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twitchell moved that the rules be suspended and that Joint Resolution "N" be put on second reading and final passage, and that it be printed in the Journal, which motion prevailed.

#### JOINT RESOLUTION "N"

By Representative Wolf

WHEREAS, the North Dakota Rural Rehabilitation Corporation was organized for the purpose of carrying on a rural rehabilitation program in the State of North Dakota

with funds resulting from grants made by the United States through the Federal Emergency Relief Administration; and

WHEREAS, the North Dakota Legislative Assembly, by chapter 224, Laws 1935, recognized the public nature of the activities of the Corporation and authorized state officers and agencies and political subdivisions to cooperate with and utilize its facilities and exempted from taxation moneys which the Corporation had received from the federal government and personal property purchased with such funds, and authorized the state treasurer in event of the dissolution of the Corporation to accept and receive the funds and properties of the Corporation then on hand for appropriation by the Legislative Assembly for such public purposes as may be designated by the members of the Corporation, if such purposes were designated, otherwise to be placed in the general fund; and

WHEREAS, by Executive Order No. 7027, issued April 30, 1935 by the President of the United States, under the Emergency Relief Appropriation Act of 1935, the Resettlement Administration of the United States was created and the functions of rural rehabilitation were transferred from the Federal Emergency Relief Administration to the Resettlement Administration; and

WHEREAS, by Executive Order No. 7530, issued December 31, 1936 by the President of the United States, the Resettlement Administration was transferred to the United States Department of Agriculture and is now being administered under the direction of the Secretary of Agriculture; and

WHEREAS, under the Emergency Relief Appropriation Acts of 1935 and 1936 federal funds cannot be made available either to the Corporation or the State for carrying on the activities of the Corporation and such funds are available only for direct expenditure by the Resettlement Administration, United States Department of Agriculture: and

WHEREAS, it is desirable that all rural rehabilitation activities in North Dakota be coordinated and controlled and managed by the same organization; now, therefore

Be it Resolved By the Legislative Assembly of the State of North Dakota:

That the North Dakota Rural Rehabilitation Corporation be, and it is hereby, authorized to bargain, sell, convey, transfer or assign to the United States of America, any or all of its assets and property, whether real, personal, or mixed, so that the administration of the assets and expenditure of the funds of the said Corporation may be coordinated with expenditures of the Resettlement Administration, United States Department of Agriculture for relief and rural rehabilitation purposes in the State of North Dakota; provided, however, that the assets and property thus bargained, sold, conveyed, transferred or assigned shall be accepted by the United States of America subject to all liabilities, commit-

ments, obligations, contracts and agreements of the Corporation; and provided further that any funds transferred or any funds realized from any of the assets and property transferred shall be held in the Treasury of the United States as a trust fund, and that all of such assets and property shall be continuously available as a revolving fund for rural rehabilitation purposes in the State of North Dakota; and provided further that, if at any time the federal government shall cease to carry on a rural rehabilitation program in the State of North Dakota, the remainder of any assets transferred by the Corporation to the United States of America, together with the proceeds of any assets or property so transferred, shall be returned to the said Corporation, if it be then in existence, or, in the event said Corporation shall have been dissolved in accordance with law, then such assets or property shall be turned over to the State of North Dakota for such disposition as the members of the Corporation may have directed prior to the dissolution of the Corporation. In the event the members of the Corporation shall have failed to designate the purposes for which such property may be used, then the property shall be subject to disposition for such public purposes as the Legislative Assembly may designate.

That pending such transfer the North Dakota Rural Rehabilitation Corporation is authorized to permit and empower the Secretary of Agriculture or the head of any other federal agency in which may hereafter be vested the function of carrying out rural rehabilitation activities in the State of North Dakota exclusively to manage and direct the administration of its assets and the expenditure of its funds for the purposes set forth above, in such manner as the said Secretary of Agriculture or head of such other federal agency shall determine; and the members, directors and officers of said North Dakota Rural Rehabilitation Corporation are authorized to take any such action as may be deemed necessary and appropriate to transfer the control of the Corporation itself to the Secretary of Agriculture or the head of such other federal agency.

That any action heretofore taken by the North Dakota Rural Rehabilitation Corporation toward said purposes is hereby approved.

#### REPORT OF STANDING COMMITTEES

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 21. A Bill for An Act to Provide that Judgments not Renewed Within Ten Years From Date of Docketing Shall Be Discharged and Satisfied of Record, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Messrs. Ireland and Solberg introduced:

House Bill No. 120: A Bill for an Act for the Regulating of the Sale and Purchase of Alcohol and Alcoholic Beverages; Providing for the Licensing of Persons Desiring to Purchase Alcohol and Alcoholic Beverages; Providing for the Issuance of Such Licenses; the Form of and the Fees to be Paid Therefor; Declaring What Persons May Not Be Licensed, Prohibiting the Sale of Alcohol and Alcoholic Beverages to Unlicensed Purchasers; Providing for the Disposition of Such License Fees; Providing for the Punishment of Violations Hereof; Providing for the Revocation of Licenses; 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 Temperance.

Mr. Wolf introduced:

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

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

Mr. Schauss introduced:

House Bill No. 122. A Bill for an Act Providing for the

**Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.**

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

Mr. Hagen introduced:

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Mr. Godwin introduced:

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

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

Messrs. Hagen and Jensen introduced:

House Bill No. 125. A Bill for an Act Providing for the Creation of the State Water Conservation Board; Prescribing Its Powers and Duties; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition of Property Necessary Therefor; Authorizing the Issuance of Water Conservation Revenue Bonds of the State Payable Solely from the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and From the Operation, Lease, Sale or Other Disposition of the Works, Property and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for a Lien Upon Bond Proceeds; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection With This Act; Providing for Contracts With the United States; Declaring That No Debt of the State Shall Be Incurred in the Exercise of Any of the Powers Granted by This Act; Providing for Purchase Condemnation; and Otherwise Acquiring Lands and Water Rights and For the Sale Thereof; Making an Appropriation; Repealing Conflicting Acts; and Declaring an Emergency.

Was read the first time and referred to the Committee on Drainage and Irrigation.

Mr. Frazier introduced:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds, to the Department of State Highways.

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

Messrs. Wolf and Schauss introduced:

House Bill No. 127. A Bill for an Act Relating to Payment and Collection of Wages for Labor, Excepting Agricultural Labor; Requiring Semi-monthly Payments; Requiring Written Notice of Terms of Contract of Employment of Posting of Notice; Providing for Separation of Employees from Payroll; Imposing Certain Conditions in the Event of Industrial Disputes; Requiring the Prompt Payment of Wages Conceded to be Due; Prohibiting Contracts waiving the Terms of this Act; Making Principal Contractor Liable for Payroll of Sub-Contractor; Placing Responsibility for Enforcement of this Act; Granting the Commissioner of Agriculture and Labor and His Deputy Certain Powers and Imposing Certain Duties; Requiring States Attorneys to Prosecute Both Civil and Criminal Actions; Generally Providing for the Enforcement of this Act; Requiring Employers to Keep Records; Fixing Penalties for Violation; Permitting Assignment of Claims for Wages to and Imposing Upon Commissioner of Agriculture and Labor and his Deputy the Duty to Prosecute Actions; Fixing Costs to be Paid, Charged and Collected.

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

Mr. Beaton introduced:

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

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

Mr. Beaton introduced:

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

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

Mr. Bieloh introduced:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

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

Mr. Schauss introduced:

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 635 of the Compiled Laws of North Dakota for 1913 Relating to the Availability of Appropriations; Prohibiting any Department, Institution, Industry, Board, Bureau, or Commission, for Which Appropriation Is Made, From Incurring Expense or Liability in Excess of Appropriations Available During Any Period and Repealing Acts or Parts of Acts in Conflict Herewith.

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

Mr. Greiser introduced:

House Bill No. 132. A Bill for an Act to Repeal Sections 57a1 and 57a2 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Requiring Union Label on Public Printing and Providing Penalty for Omitting the Same.

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

The Committee on Education introduced:

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

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

Mr. Frazier introduced:

House Bill No. 134. A Bill for an Act Relating to the Power of County Commissioners to Allow Actual Expense to Members of County Welfare Boards, County Planning Boards, and Other Boards, Associations and Societies Engaged in Public Activities, While and When Engaged in Such Activities Within the State of North Dakota, Whether Within or Without the County of Their Residence, and Declaring an Emergency.



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

#### SECOND READING OF HOUSE BILLS

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Was read the second time.

Mr. Stray asked unanimous consent of the House to amend the bill by striking out line 22, on page 2, which consent was denied.

Mr. Caddell moved that House Bill No. 24 be re-referred to the committee.

Mr. Magill made a substitute motion that the bill be referred back to General Orders.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

Mr. Speaker: I have the honor to advise you that the Senate has adopted:

#### JOINT RESOLUTION "I"

Very respectfully,

THOMAS McDONALD,  
Secretary.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he may Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

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, 96; nays, 0; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Johnson	Ritter
Beggs	Jury	Sand
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Billigmeier	Knutson, LaMoure	Savre
Black	Kraus	Schimke
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Burgum	Levin	Severson
Byrne	Livingston	Shure, Cass
Caddell	McInnes	Shurr, Bottineau
Dalzell	McIntee	Solberg
Day	Magill	Sticka
Frazier	Morland	Stray
Freitag	Morris	Symington
Frey	Myers	Thompson
Frosaker	Nelson, Sargent	Thoreson
Gessner	Niewoehner	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Bowman	White
Hofstrand	Olson, McLean	Wick
Holm	Olson, Sargent	Williams
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Fitch	Nelson, Cass
Bieloh	Greiser	Olson, Adams
Bjornson	Jones	Schauss
Brusseau	Knudson, Steele	Traynor
Dittmer	Krank	Treffry
Dullea	Leum	

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

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of 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, 82; nays, 15; absent and not voting, 16.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Holmquist	Olson, McLean
Akland	Holthusen	Page

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Benno	Jensen	Pewe
Biberdorf	Johnson	Rait
Billigmeier	Jury	Sand
Black	Just	Sandness
Blair	Kapaun	Savre
Brown	Knutson, LaMoure	Schauss
Burgum	LaBerge	Severson
Byrne	Langford	Solberg
Caddell	Livingston	Sticka
Day	McInnes	Stray
Frazier	McIntee	Symington
Freitag	Magill	Thompson
Frey	Morland	Thoreson
Frosaker	Morris	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beggs	Nelson, Sargent	Semerad
Dalzell	Olson, Sargent	Shure, Cass
Greiser	Ritter	Shurr, Bottineau
Levin	Saumur	Wolf
Myers	Schimke	Mr. Speaker

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Fitch	Leum
Bieloh	Jones	Nelson, Cass
Bjornson	Knudson, Steele	Seibel
Brusseau	Krank	Traynor
Dittmer	Kraus	Treffry
Dullea		

So the bill passed and the title was agreed to.

Mr. Sand moved that action on House Bill No. 25 be deferred one calendar day.

Mr. Godwin offered the substitute motion that House Bill No. 25 be placed in General Orders.

Which motion prevailed.

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Re-

quiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

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, 56; nays, 39; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Rait
Akland	Haines	Ritter
Anfinson	Hofstrand	Savre
Beasley	Holmquist	Schauss
Beaton	Holthusen	Schimke
Beggs	Hultstrand	Seibel
Benno	Jensen	Semerad
Biberdorf	Knutson, LaMoure	Shurr, Bottineau
Billigmeier	LaBerge	Sticka
Byrne	Levin	Thoreson
Caddell	Livingston	Tuff
Day	McIntee	Tweten
Frazier	Myers	Urschel
Freitag	Obach	White
Frey	Olson, Adams	Wick
Frosaker	Olson, McLean	Williams
Gilberg	Peterson, Renville	Wolf
Godwin	Peterson, Richland	Mr. Speaker
Greiser	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Black	Just	Olson, Bowman
Blair	Kapaun	Olson, Sargent
Brown	Langford	Page
Burgum	McInnes	Sandness
Dalzell	Magill	Saumur
Gessner	Morland	Severson
Goodlaxon	Morris	Shure, Cass
Graham	Niewoehner	Solberg
Holm	Nelson, Sargent	Symington
Huseby	Norheim	Thompson
Ireland	O'Brien	Trydahl
Johnson	Odegard	Twichell
Jury	Oglesby	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Nelson, Cass
Bieloh	Jones	Peterson, Bot'neau
Ejornson	Knudson, Steele	Sand
Brusseau	Krank	Stray
Dittmer	Kraus	Traynor
Dullea	Leum	Treffry

So the bill was lost.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
January 30, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

Also,

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal 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, 58; nays, 38, absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Hultstrand	Ritter
Anfinson	Jensen	Sand
Beaton	Jury	Savre
Beggs	Just	Schauss
Biberdorf	Knutson, LaMoure	Schimke
Billigmeier	LaBerge	Seibel
Burgum	Levin	Semerad
Byrne	Livingston	Shurr, Bottineau
Caddell	McIntee	Sticka
Day	Morris	Stray
Frazier	Myers	Thoreson

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Freitag	Niewoehner	Tuff
Frey	Obach	Tweten
Gessner	Odegard	Urschel
Godwin	Olson, Adams	White
Greiser	Olson, McLean	Williams
Hagen	Peterson, Bot'neau	Wolf
Haines	Pewe	Mr. Speaker
Hofstrand		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Ireland	Peterson, Renville
Benno	Kapaun	Peterson, Richland
Black	Langford	Sandness
Blair	McInnes	Severson
Brown	Magill	Shure, Cass
Dalzell	Morland	Solberg
Frosaker	Nelson, Sargent	Symington
Gilberg	Norheim	Thompson
Goodlaxon	O'Brien	Trydahl
Graham	Oglesby	Twichell
Holm	Olson, Bowman	Wendland
Holthusen	Olson, Sargent	Wick
Huseby	Page	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Fitch	Leum
Bieloh	Johnson	Nelson, Cass
Bjornson	Jones	Saumur
Brusseau	Knudson, Steele	Traynor
Dittmer	Krank	Treffry
Dullea	Kraus	

So the bill passed and the title was agreed to.

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

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, 89; nays, 1, absent and not voting, 23.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Ireland	Pewe
Akland	Jensen	Rait
Anfinson	Johnson	Ritter

Messrs.	Messrs.	Messrs.
Beasley	Jury	Sandness
Beaton	Just	Saumur
Beggs	Kapaun	Savre
Biberdorf	Knutson, LaMoure	Schauss
Billigmeier	LaBerge	Schimke
Black	Langford	Seibel
Blair	Levin	Semerad
Brown	Livingston	Severson
Dalzell	McInnes	Shure, Cass
Day	McIntee	Solberg
Frazier	Magill	Sticka
Frey	Morland	Stray
Frosaker	Morris	Symington
Gessner	Myers	Thompson
Gilberg	Niewoehner	Thoreson
Godwin	Nelson, Sargent	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Greiser	Odegard	Twichell
Hagen	Oglesby	Urschel
Haines	Olson, Adams	Wendland
Hofstrand	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Williams
Holthusen	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Renville	Mr. Speaker
Huseby	Peterson, Richland	

Those voting in the negative were:

Messrs.  
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Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dittmer	Leum
Benno	Dullea	Nelson, Cass
Bieloh	Fitch	Norheim
Bjornson	Freitag	Sand
Brusseau	Jones	Shurr, Bottineau
Burgum	Knudson, Steele	Traynor
Byrne	Krank	Treffry
Caddell	Kraus	

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

Mr. Sand moved that House Bill No. 72 and House Bill No. 73, be re-referred to the Committee on Taxes and Tax Laws, which motion prevailed.

Mr. Stray moved that the House recess for thirty minutes, which motion was lost.

#### SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that Joint Resolution "N" as amended, be put on its final passage, which motion prevailed.

## ROLL CALL

The question being on the adoption of Joint Resolution "N" the roll was called and there were ayes, 90; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Johnson	Ritter
Beggs	Jury	Sandness
Biberdorf	Just	Saumur
Billigmeier	Kapaun	Savre
Black	LaBerge	Schauss
Blair	Langford	Schimke
Brown	Levin	Seibel
Caddell	Livingston	Semerad
Dalzell	Magill	Severson
Day	McInnes	Shure, Cass
Frazier	McIntee	Solberg
Freitag	Morland	Sticka
Frey	Morris	Symington
Frosaker	Myers	Thompson
Gessner	Niewoehner	Thoreson
Gilberg	Nelson, Sargent	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Twetén
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, Sargent	Williams
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Nelson, Cass
Benno	Fitch	Olson, McLean
Bieloh	Jones	Sand
Bjornson	Knudson, Steele	Shurr, Bottineau
Brusseau	Knutson, LaMoure	Stray
Burgum	Krank	Traynor
Byrne	Kraus	Treffry
Dittmer	Leum	

So the resolution was adopted.

Mr. Godwin requested that the record on page 322 of the House Journal for January 29, 1937, be corrected to show that his motion did not refer to the House Enrolling and Engrossing Clerk, Mr. Banse, but did refer to the person responsible for the work, Mr. Coghlan, which request was granted.



Mr. Magill moved that action on House Bill No. 29 be deferred one calendar day, which motion prevailed.

The Speaker called Mr. Wolf to the chair.

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration 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, 71; nays, 18; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Pewe
Beggs	Ireland	Rait
Benno	Jensen	Ritter
Biberdorf	Just	Sand
Billigmeier	Knutson, LaMoure	Sandness
Black	LaBerge	Saumur
Burgum	Levin	Schauss
Caddell	Livingston	Schimke
Day	McInnes	Seibel
Freitag	McIntee	Semerad
Frey	Magill	Severson
Frosaker	Morland	Shurr, Bottineau
Gessner	Morris	Solberg
Gilberg	Myers	Sticka
Godwin	Niewoehner	Symington
Goodlaxon	Nelson, Sargent	Thompson
Graham	Obach	Thoreson
Greiser	O'Brien	Trydahl
Hagen	Odegard	Tweten
Haines	Oison, Adams	White
Hofstrand	Olson, Bowman	Wolf
Holmquist	Olson, McLean	Mr. Speaker
Holthusen	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Stray
Dalzell	Page	Tuff
Jury	Peterson, Renville	Twichell
Kapaun	Peterson, Richland	Wendland
Langford	Savre	Wick
Norheim	Shure, Cass	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Byrne	Knudson, Steele
Anderson	Dittmer	Krank

Messrs.	Messrs.	Messrs.
Beasley	Dullea	Kraus
Beaton	Fitch	Leum
Bieloh	Frazier	Nelson, Cass
Bjornson	Holm	Traynor
Brown	Johnson	Treffry
Brusseau	Jones	Urschel

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

Mr. Hagen: I vote "aye" for this bill only because I think it is necessary to continue the department.

Mr. Morris moved that final action on House Bill No. 78 be deferred one legislative day.

Which motion prevailed.

The Speaker resumed the chair.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

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

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

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

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, 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 Taxes and Tax Laws.

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

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

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

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

### SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

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, 57; nays, 27; absent and not voting, 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Rait
Akland	Hultstrand	Ritter
Anfinson	Kapaun	Sand
Beasley	Knutson, LaMoure	Sandness
Beggs	LaBerge	Saumur
Benno	Livingston	Schauss
Biberdorf	McIntee	Schimke
Billigmeier	Magill	Severson
Blair	Morland	Shure, Cass
Caddell	Myers	Shurr, Bottineau
Dalzell	Nelson, Sargent	Sticka
Day	Norheim	Symington
Frazier	O'Brien	Thompson
Freitag	Olson, McLean	Trydahl
Frosaker	Olson, Sargent	Twichell
Gessner	Page	Wendland
Gilberg	Peterson, Bot'neau	White
Goodlaxon	Peterson, Renville	Wolf
Hagen	Pewe	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Greiser	Just	Seibel
Hofstrand	Langford	Semerad
Holm	Obach	Solberg
Holmquist	Odegard	Stray
Holthusen	Oglesby	Thoreson
Huseby *	Olson, Adams	Tuff
Ireland	Olson, Bowman	Tweten
Jensen	Peterson, Richland	Wick
Jury	Savre	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Leum
Beaton	Fitch	Levin
Bieloh	Frey	McInnes
Bjornson	Godwin	Morris
Black	Graham	Niewoehner
Brown	Johnson	Nelson, Cass
Brusseau	Jones	Traynor

Messrs.	Messrs.	Messrs.
Burgum	Knudson, Steele	Treffry
Byrne	Krank	Urschel
Dittmer	Kraus	

So the bill passed and the title was agreed to.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; 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, 82; nays, 1; absent and not voting, 30.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Ritter
Akland	Just	Sand
Anfinson	Kapaun	Sandness
Beasley	Knutson, LaMoure	Saumur
Beggs	LaBerge	Savre
Benno	Langford	Schauss
Biberdorf	Livingston	Seibel
Billigmeier	Magill	Semerad
Blair	McInnes	Severson
Caddell	McIntee	Shure, Cass
Dalzell	Morland	Solberg
Day	Myers	Sticka
Frazier	Niewoehner	Stray
Freitag	Nelson, Sargent	Symington
Frosaker	Norheim	Thompson
Gessner	Obach	Thoreson
Gilberg	O'Brien	Trydahl
Goodlaxon	Odegard	Tuff
Greiser	Oglesby	Tweten
Hagen	Olson, Adams	Twichell
Haines	Olson, Bowman	Urschel
Hofstrand	Olson, McLean	Wendland
Holm	Olson, Sargent	White
Holthusen	Peterson, Bot'neau	Wick
Hulstrand	Peterson, Richland	Williams
Huseby	Pewe	Wolf
Ireland	Rait	Mr. Speaker
Jensen		

Those voting in the negative were:

Messrs.  
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Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Kraus
Beaton	Fitch	Leum
Bieloh	Frey	Levin
Bjornson	Godwin	Morris
Black	Graham	Nelson, Cass

Messrs.	Messrs.	Messrs.
Brown	Holmquist	Peterson, Renville
Brusseau	Johnson	Schimke
Burgum	Jones	Shurr, Bottineau
Byrne	Knudson, Steele	Traynor
Dittmer	Krank	Treffry

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

Mr. Sand asked unanimous consent to amend Senate Bill No. 8, as follows:

In the committee report, strike out from line 2 of the title the word "department," and insert in lieu thereof the word "Fund".

The consent was granted.

#### SEVENTH ORDER OF BUSINESS

Mr. Jensen requested an extension on House Bill No. 56 and House Bill No. 59, which extension was granted.

Mr. Wolf moved that the House recess to 1:00 P. M., Monday, which motion prevailed and the House recessed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Miss Crite, Kulm; Mr. R. F. Samuels, Beach; Evelyn Schultz, Bowbells; J. W. McCoffrey, Bowman; F. G. Beyer, Rhame; Judge John W. Lowe, Minot; W. H. Hollar, Sentinel Butte; Luba E. Roman, Rolette, N. D.; A. T. Johnson, Rolla; Mrs. R. W. Frazier, Crosby; Luella Twete, Williston; John W. Eck, Jamestown; Ruby Kraft, Coleharbor; Richard Wolf, New Salem; P. M. Weisbeck, Hague; Marvin Jenner, Lehr; Esther Olafson, Manning; H. P. Johnson, Werner; Fred C. Boeckman, Sutton; Otto Bubel, Herman Bubel and Peter Perschke, all of Center; F. B. Peik, Carrington; L. S. Stenseth, Lloyd Musberger and L. C. Anderson, all of Jamestown; A. C. Olson, Oberon; O. L. Johnston, Concrete; Percie Spanglo, Concrete; Severt Opoien, Pekin; Howard Barton, Braddock; Betty Shaw, Bismarck; J. M. Wilberding, Dickinson; Julius Ferger, Belfield; Victoria Wilberding, Dickinson; E. F. Riley, Wahpeton; W. J. Bacon, Minot; Floyd B. Sperry, Golden Valley; Mrs. Matt Crowley, Erna Zeigler, Sheila Crowley, Ruth Bandel, Lois Itrich, Robert Anderson, Hilda Krenzel, Freda Prenzel, Margaret Koverich, Victor Ding, John Mann, Orein Feil, Mr. Brown, Miss Radle, Arthur Werth, Harry Krieg, Margaret Lieck, Erna Fehr, William Meidlinger, Fredrick Conrath, Leonard Zeigler, and Louis Weinstein, all of Hebron; George Heidt, Miss Inez Christianson, Miss Margaret Bonzer, Sarah Graham, Myrtle Graham, Ida Swenson, Dorothy Hotchkiss, Geraldine McLaughlin, Dorothy Wickam, Marion Feist, Mildred Mundy, Greta Robertson, Anna Mae Goodland and Evangeline Murphy, all of Mandan.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-SEVENTH DAY AFTER RECESS AND  
TWENTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

The House convened at 1:00 p. m., pursuant to recess,  
Speaker Dahl presiding.

## GENERAL ORDERS

Mr. Burgum moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Burgum to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$674,966.00" and insert in lieu thereof the figures "\$668,725.00".

On page 2, line 22, change figures to "\$18,421.00"; in line 25, change to "\$2,000.00"; in line 31, change to "\$16,660.00".

After line 31 insert line 31½, write in "Stenographic Bureau," also the figures "\$10,820.00."

In line 37, change figures to "\$5,500".

In line 40, change to "\$80,000.00"; line 43, change to "\$26,-

000.00"; line 45, change figures to read "\$834,775.00"; line 48, change to read "\$617,775.00".

In line 53, change total to "\$668,725.00".

And the further amendment:

In line 22 of the printed Bill after the words "salary adjustments," insert the following language: "to be applied on salaries under two thousand dollars per annum."

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$26,420.00" and insert in lieu thereof the figures "\$30,470.00".

In line 39, change figures to "\$29,530.00" and in line 41 change figures to "\$30,470.00".

And when so amended recommend the same do pass.

L. R. BURGUM,  
Chairman.

Mr. Symington moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Page moved that the absent members be excused, which motion prevailed.

Mr. Morris moved that the House adjourn, which motion prevailed and the House adjourned.

#### TWENTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Walter E. Vater of Bismarck.

The roll was called and all members were present except Representatives Anderson, Bjornson, Johnson, Jones, Jury, Knutson of La Moure and Wendland.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON CORRECTION AND REVISION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 25 after recess and 26 day and recommend that the same be corrected as follows: On page 329, lines 39 and 43, Correct the spelling of the name "McInnes."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers.

Also,

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Also,



House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

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

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

Mr. President: I have the honor to advise you that the House has adopted:

JOINT RESOLUTION "N."

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 1, 1937.

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

Senate Bill No. 21. A Bill for An Act to Provide that Judgments not Renewed Within Ten Years From Date of Docketing Shall Be Discharged and Satisfied of Record, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck North Dakota,  
February 1, 1937.

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

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Resolution from County Workers of Rolette County referred to Committee on Banks and Banking.

REPORT OF STANDING COMMITTEES  
HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

Also

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 97. A Bill for an Act to Provide for Cancellation From Record of Contracts for Sale of Land Not Renewed Within Fifteen Years From Due Date or Within Twenty Years From Date of Recording; When Land is Not Occupied by Vendee; and for Procedure to Be Followed, and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs makes the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

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

Amend the title of the bill by striking out the "period" at the end of the title and adding the following, "Or Superintendent of the State Training School; for Annulment of Such Marriage; and Prescribing Penalties."

Strike out all of Section 1 after the last word in the subtitle (Prohibited.)" and insert in lieu thereof the following:

"It shall be unlawful for any minor, while under the supervision or custody of the Juvenile Court or the Superintendent of the State Training School, to marry without the order of the Juvenile Court or of the Superintendent of the State Training School, as the case may be; and any such marriage made without such order shall be subject to annulment in a proceeding brought in District Court by the State's Attorney or by any person authorized by law to bring such annulment action. Any person knowingly aiding, abetting or encouraging such marriage shall be guilty of a misdemeanor."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 9. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 254 of the Session Laws of the State of North Dakota for 1933, Being an Act Providing for Old Age Pension.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from

**All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.**

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

In Section 2, line 1, of the Original Bill, as amended by the Committee of the Whole (Amendment to be found on pages 303-304 of the Journal), strike out the words "County Superintendents of Schools".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in

Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Wick moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

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

In title, after the word "retail" add a comma and "providing penalty for violation of this act".

Add: "Section 5. Any person, firm or corporation, for failing or neglecting to comply with the provisions of this Act shall be subject to a fine of not more than \$100.00."

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 101.] A Bill for an Act Requiring the Licensing of Auctioneers; Fixing Fees for Same; How and When Paid; Providing for Bond, and Penalty for Violation and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

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

In line 15, after the word "that," insert the following words: "at least".

In line 21, after the word "person," insert the following words: "qualified as herein provided".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell made a substitute motion that Senate Bill No. 46 be placed on the calendar.

The question being on Mr. Twichell's substitute motion, a division was called for, and the motion prevailed.

**SEVENTH ORDER OF BUSINESS**

House Concurrent Resolution "O," introduced by Representative Hagen, was read and referred to the Committee on State Affairs.

House Resolution "F," introduced by Representatives Thoreson, Myers, Schimke and Hagen, was read and referred to the State Affairs Committee.

**FIFTH ORDER OF BUSINESS**

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

**SEVENTH ORDER OF BUSINESS**

Mr. Jensen moved that House Bill No. 111 be transferred from the Committee on Taxes and Tax Laws to the State Affairs committee, which motion prevailed.

Mr. Fitch moved that House Bill No. 38 be withdrawn from the Judiciary Committee, which motion prevailed.

Mr. Fitch moved that House Bill No. 38 be withdrawn from the House, which motion prevailed.

Mr. Burgum moved that the action by which House Bill No. 79 was lost be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 79 be placed on the calendar, which motion prevailed.

Mr. Adams asked an extension of time on House Bill No. 39, which extension was granted.

Mr. Thoreson requested an extension of time on House Bill No. 71 and House Bill No. 89, which extension was granted.

Mr. Schauss requested an extension of time on House Bill No. 67, which extension was granted.



## FIFTH ORDER OF BUSINESS

## REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

In printed bill, page 1, line 3, strike out the figures "\$270,406.00" and insert in lieu thereof the figures "\$246,306.00."

Strike out the entire line 12, page 2, item 4—Salary Adjustments—\$3,700.00.

Page 2, line 15, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$9,000.00."

Page 2, line 16, strike out the figures "\$1,900.00" and insert in lieu thereof the figures "\$1,700.00."

Page 2, line 22, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

Page 2, line 23, strike out the figures "\$7,200.00" and insert in lieu thereof the figures "\$7,000.00."

Page 2, line 26, strike out the figures "\$17,500.00" and insert in lieu thereof the figures "\$15,000.00."

Page 2, line 27, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$8,000.00."

Page 2, line 29, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$9,000.00."

Page 2, line 30, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$3,500.00."

Page 2, line 32, strike out the figures "\$24,000.00" and insert in lieu thereof the figures "\$14,000.00."

Page 2, line 34, strike out the figures "\$293,206.00" and insert in lieu thereof the figures "\$269,606.00."

Page 3, line 36a, strike out the figures "\$260,206.00," and insert in lieu thereof the figures "\$236,606.00."

Page 3, line 38, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

Page 3, line 39, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$2,000.00."

Page 3, line 42, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$500.00."

Page 3, line 48, strike out the figures "\$270,406.00" and insert in lieu thereof the figures "\$246,306.00."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frosaker moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Messrs. Trydahl, Hagen and Peterson of Renville introduced:

House Bill No. 135. A Bill for an Act to Fix the Tax Levy Limitation for School Districts Which Have Heretofore Voted to Increase the Tax Levy Limit Therein; and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Mr. Burgum introduced:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512 and 5514 and to Repeal Section 5513 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; 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.

Mr. Burgum introduced:

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

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

Mr. Burgum introduced:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption and After Foreclosure or Execution Sales and Purchasers at Such Sales.

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

Mr. Burgum introduced:

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota

for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who are Non-Residents or Corporations Other Than United States Corporations.

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

Mr. Greiser introduced:

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

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

Mr. Godwin introduced:

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

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

Messrs. Trydahl, Saumur and Peterson of Renville introduced:

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Messrs. Trydahl, Saumur and Peterson of Renville introduced:

House Bill No. 143. A Bill for an Act to Eliminate the Necessity of Holding Elections to Fill Vacancies in Offices in Special School Districts, Independent School Districts and School Districts Organized Under Special Law, When no More Nominations Have Been Made Than There Are Vacancies to Be Filled; and to Provide That in Such Cases the Nominees Shall Be Declared Elected, Without the Necessity of a Vote of the Electors Upon such Nominees; and Declaring an Emergency.

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

Messrs. Wick and Trydahl introduced:

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 5 of the "Liquor Control Act" initiated by Peti-

tion and Enacted by the People of the State of North Dakota at the State-Wide General Election, Held on November 3, 1936.

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

Messrs. Benno, Frazier and Niewoehner introduced:

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

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

Messrs. Ireland and Solberg introduced:

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

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

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 1, 1937.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which has been correctly engrossed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 1, 1937.

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

House Bill No. 13. A Bill for an Act to Amend and Re-

enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 1, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Also,

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

Senate Bill No. 69. A Bill for an Act Providing for the Qualifications of City Aldermen.

Also,

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Also,

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

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

Very respectfully,

THOMAS McDONALD.  
Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

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, 102; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anfinson	Holthusen	Page
Beasley	Hultstrand	Peterson, Bot'neau
Beaton	Huseby	Peterson, Richland
Beggs	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Just	Ritter
Bieloh	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Black	Knutson, LaMoure	Saumur
Blair	Krank	Savre
Brown	Kraus	Schimke
Brusseau	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	McInnes	Solberg
Dittmer	McIntee	Sticka
Dullea	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Urschel
Goodlaxon	O'Brien	White
Graham	Odegard	Wick
Greiser	Oglesby	Williams

Messrs.	Messrs.	Messrs.
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.  
Hagen

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jury	Stray
Bjornson	Peterson, Renville	Twichell
Johnson	Schauss	Wendland
Jones		

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

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin: I move that the Speaker of the House for the 1935 Legislative session, Mr. Crockett, be asked to occupy the rostrum with the Speaker this afternoon.

The motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

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, 58; nays, 48; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Peterson, Bot'neau
Akland	Haines	Peterson, Renville
Anfinson	Holthusen	Pewe
Beaton	Hofstrand	Saumur
Benno	Ireland	Schauss
Biberdorf	Just	Seibel
Brusseau	Knutson, LaMoure	Solberg

Messrs.	Messrs.	Messrs.
Burgum	Krank	Sticka
Byrne	Kraus	Stray
Caddell	Livingston	Thompson
Day	McIntee	Thoreson
Dullea	Morris	Treffry
Fitch	Myers	Trydahl
Frazier	Obach	Tuff
Freitag	Odegard	Twichell
Frey	Olson, Adams	Urschel
Frosaker	Olson, Bowman	White
Godwin	Olson, McLean	Williams
Graham	Page	Wolf
Greiser		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Peterson, Richland
Bieloh	Knudson, Steele	Rait
Billigmeier	LaBerge	Ritter
Black	Langford	Sand
Blair	Leum	Sandness
Brown	Levin	Savre
Dalzell	McInnes	Schimke
Dittmer	Magill	Semerad
Gessner	Morland	Severson
Gilberg	Niewoehner	Shure, Cass
Goodlaxon	Nelson, Cass	Shurr, Bottineau
Hultstrand	Nelson, Sargent	Symington
Holm	Norheim	Traynor
Holmquist	O'Brien	Tweten
Huseby	Oglesby	Wick
Jensen	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Johnson	Jury
Beggs	Jones	Wendland
Bjornson		

So the bill passed and the title was agreed to.

Mr. Freitag moved that the vote by which House Bill No. 68 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Frazier: I vote "aye" on this, and want to explain my vote. This is the first job I ever scabbed on, and I don't want to be scabbing on anybody else, therefore I vote "aye."

Mr. Magill: Because of the jokers in this bill, I feel that it is hardly safe to vote for it, therefore I vote "no."

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declar-



ing Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, 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, 99; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beggs	Just	Ritter
Benno	Knudson, Steele	Sand
Biberdorf	Knutson, LaMoure	Sandness
Bieloh	Krank	Saumur
Billigmeier	Kraus	Schauss
Black	LaBerge	Schimke
Blair	Langford	Seibel
Brown	Leum	Semerad
Brusseau	Levin	Severson
Burgum	Livingston	Shure, Cass
Caddell	McInnes	Shurr, Bottineau
Dalzell	McIntee	Solberg
Day	Magill	Sticka
Dittmer	Morland	Stray
Dullea	Morris	Symington
Fitch	Myers	Thompson
Frazier	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Norheim	Treffry
Gilberg	Obach	Trydahl
Godwin	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Graham	Oglesby	Twichell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.  
Holmquist

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Gessner	Kapaun
Beaton	Johnson	Nelson, Sargent
Bjornson	Jones	Savre
Byrne	Jury	Wendland
Freitag		

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

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 1, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "J."

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Was read the second time.

Mr. Caddell asked the unanimous consent of the House to amend the bill as follows:

On page 2, line 23, strike out the words and figures "Five Hundred (\$500.00) Dollars," and insert in lieu thereof the words and figures "One Thousand (\$1,000.00) Dollars."

The consent was granted.

Mr. Twichell moved that the rules be suspended and House Bill No. 78 be considered properly re-engrossed and placed on 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, 73; nays, 28; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Just	Sand
Beaton	Knudson, Steele	Sandness
Beggs	Knutson, LaMoure	Saumur
Benno	Krank	Savre

Messrs.	Messrs.	Messrs.
Black	Kraus	Schauss
Brown	LaBerge	Schimke
Brusseau	Langford	Seibel
Burgum	Leum	Shure, Cass
Byrne	Livingston	Solberg
Caddell	McIntee	Stray
Day	Magill	Thompson
Dalzell	Morland	Thoreson
Dullea	Morris	Traynor
Fitch	Niewoehner	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	O'Brien	Twichell
Gessner	Odegard	Urschel
Gilberg	Oglesby	White
Godwin	Olson, Adams	Wick
Graham	Olson, McLean	Williams
Hagen	Olson, Sargent	Wolf
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Jensen	Ritter
Bieloh	Kapaun	Semerad
Billigmeier	Levin	Severson
Blair	Myers	Shurr, Bottineau
Frazier	Norheim	Sticka
Greiser	Obach	Symington
Hofstrand	Peterson, Bot'neau	Tuff
Holm	Pewe	Tweten
Holmquist	Rait	Mr. Speaker
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Goodlaxon	McInnes
Bjornson	Johnson	Nelson, Cass
Dittmer	Jones	Olson, Bowman
Freitag	Jury	Wendland

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

Mr. Morris moved that the vote by which House Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that action on House Bill No. 79 be deferred one legislative day.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

HOUSE CONCURRENT RESOLUTION "P," introduced by Representatives Greiser, Schauss and Peterson of Renville, was read.

Mr. Godwin moved that House Concurrent Resolution "P" be adopted and that it be printed in the Journal.

Mr. Page offered an amendment to the effect that the Resolution should be printed in the House Journal only in the event that it was not printed in the Senate Journal, which amendment was accepted.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "P," the roll was called and there were ayes, 105; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anfinson	Holthusen	Peterson, Richland
Beasley	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Ireland	Ritter
Benno	Jensen	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	Magill	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, McLean	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.		Messrs.
Page		Olson, Bowman
Absent and not voting:		Wendland
Messrs.	Messrs.	
Anderson	Jones	
Bjornson	Jury	
Johnson		

So the Resolution was adopted.

## HOUSE CONCURRENT RESOLUTION "P"

Introduced by Representatives Greiser, Schauss and Peterson of Renville.

A Concurrent Resolution Relating to Enrolling and Engrossing House and Senate Bills and Resolutions.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

WHEREAS : The Governor, the Secretary of State and the State Auditor after duly advertising for bids as required by law did, on the 18th day of December, 1936, enter into a contract with Joseph Coghlin of Bismarck, Burleigh County, North Dakota, whereby for the consideration stipulated in such contract the said Joseph Coghlin agreed to engross and enroll all bills passed by each House of the Twenty-fifth Legislative Assembly of the State of North Dakota.

WHEREAS: The statute authorizing the execution of such contract, and the contract itself, contains the following language: "The services to be performed under the direction and in the time set by and to the satisfaction of the committees of the Senate and House of Representatives, or their agent.

WHEREAS: Such services are being performed in an incompetent, inefficient and improper manner and in a manner not satisfactory to the committees of the Senate and House of Representatives.

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That the Governor, Secretary of State and State Auditor acting as a Board as constituted by law are hereby directed to forthwith cancel such contract with the said Joseph Coghlin, and

BE IT FURTHER RESOLVED: That for the remainder of the Twenty-fifth Legislative Session the enrolling and engrossing of the bills and resolutions passed by the Senate and the House of Representatives be taken care of by employees of both houses under the direction of the Chief Clerk of the House of Representatives and the Secretary of the Senate.

The Majority of the committee on Appropriations made the following report:

Mr. Speaker: Your Majority Committee on Appropriations to whom was referred:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

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

On page 1, line 3 of the printed bill strike out the figures

"\$162,952.58" and insert in lieu thereof the figures "\$148,436.58."

Page 2, line 14, strike out the figures "\$8,383.00" and insert in lieu thereof the figures "\$2,515.00."

Page 2, line 18, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$900.00."

Page 2, line 23, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$400.00."

Page 2, line 24, strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$2,000.00."

Page 2, line 26, strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,000.00."

Page 2, line 29, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$600.00."

Page 2, line 32, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 37, strike out the figures "\$154,034.58" and insert in lieu thereof the figures "\$144,451.58."

Page 3, line 40, strike out the figures "\$134,034.58" and insert in lieu thereof the figures "\$124,351.58."

Page 3, line 42, strike out the figures "\$1,650.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 43, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00."

Page 3, line 44, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$600.00."

Page 3, line 48, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

Page 3, line 51, strike out the figures "\$2,629.00" and insert in lieu thereof the figures "\$2,000.00."

Page 3, line 55, strike out the figures "\$4,313.00" and insert in lieu thereof the figures "\$3,000.00."

Page 3, line 57, strike out the figures "\$1,006.00" and insert in lieu thereof the figures "\$750.00."

Page 4, line 59, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

Page 4, line 62, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

Strike out the entire line "Land Purchase—\$3,500.00" on page 4, line 63.

Page 4, line 65, strike out the figures "\$162,952.58" and insert in lieu thereof the figures "\$148,436.58."

ELMER GESSNER  
 PETER PETERSON  
 JOHN J. ADAM  
 CALVIN SCHMIKE  
 E. J. DULLEA  
 J. M. THOMPSON  
 O. G. FROSAKER  
 L. O. NORHEIM  
 J. URSHEL  
 PHILIP KRANK  
 PALMER LEVIN  
 HENRY LEUM  
 EARL D. SYMINGTON  
 ARLO E. BEGGS  
 MANDUS HULTSTRAND  
 C. P. RITTER  
 R. W. FRAZIER  
 PAUL A. SAND,

Chairman.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Minority of the Committee on Appropriations made the following report:

Mr. Speaker: The Minority of Your Committee on Appropriations to whom was referred:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

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

Minority recommend the further amendment in addition to the amendments offered by the majority of the committee:

Page 2, strike out the entire line 14, "Salary Adjustments, 1937-39, 10%-----"\$8,383.00."

Signed, W. O. BIBERDORF

The majority of the Committee on Appropriations made the following report:

Mr. Speaker. A majority of your Committee on Appropriations to whom was referred:

House Bill No. 41. 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.

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

On the printed bill, on page 1, line 3, strike out the figures

"\$38,479.00" and insert in lieu thereof the figures "\$36,209.00".

Page 2, line 14, strike out the figures "\$2,243.00" and insert in lieu thereof the figures "\$673.00".

Page 2, line 34, strike out the figures "\$46,229.00" and insert in lieu thereof the figures "\$44,659.00".

Page 3, line 37, strike out the figures "\$34,229.00" and insert in lieu thereof the figures "\$32,659.00".

Page 3, line 39, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00".

Page 3, line 44, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$400.00".

Page 3, line 50, strike out the figures "\$38,479.00" and insert in lieu thereof the figures "\$36,209.00".

And when so amended recommend the same do pass.

ELMER GESSNER,  
 PETER PETERSON,  
 JOHN J. ADAM,  
 C. P. RITTER,  
 CALVIN SCHIMKE,  
 R. W. FRAZIER,  
 E. J. DULLEA,  
 J. M. THOMPSON,  
 O. G. FROSAKER,  
 L. O. NORHEIM,  
 PHILIP KRANK,  
 PALMER LEWIS,  
 HENRY LEUM,  
 J. URSCHEL,  
 MANDUS HULTSTRAND,  
 EARL D. SYMINGTON,  
 ARLO E. BEGGS.  
 PAUL A. SAND,  
 Chairman.

A minority of the Committee on Appropriations made the following report:

Mr. Speaker: A minority of your Committee on Appropriations to whom was referred:

House Bill No. 41. 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.

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

Minority recommend the further amendment in addition to the amendments offered by the majority of the committee:

On page 2, line 14 of the printed bill, strike out the entire line "Salary Adjustments—"\$2,243.00".

And when so amended recommend the same do pass.

WM. O. BIBERDORF,



SENATE CONCURRENT RESOLUTION "J", introduced by Senators Fine, Lowe and Owings, was read and referred to the Committee on State Affairs.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

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

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

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

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

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

Senate Bill No. 69. A Bill for an Act Providing for the Qualifications of City Aldermen.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this

Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

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

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

SECOND READING OF SENATE BILLS

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

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, 80; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Peterson, Richland
Anfinson	Holthusen	Rait
Beaton	Jensen	Ritter
Beggs	Just	Sand
Benno	Knudson, Steele	Saumur
Biberdorf	Knutson, LaMoure	Savre
Billigmeier	Kraus	Schauss
Black	LaBerge	Schimke
Brown	Langford	Seibel
Brusseau	Leum	Semerad
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dullea	McIntee	Stray
Fitch	Magill	Symington
Freitag	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Traynor
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Odegard	Twichell
Graham	Olson, Adams	Urschel
Greiser	Olson, McLean	Wick
Hagen	Olson, Sargent	Wolf
Haines	Peterson, Bot'neau	Mr. Speaker
Hofstrand	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page
Beasley	Hultstrand	Pewe

Messrs.	Messrs.	Messrs.
Bieloh	Ireland	Sandness
Blair	Kapaun	Solberg
Burgum	Krank	Sticka
Dalzell	Norheim	Treffry
Dittmer	Obach	White
Frazier	Oglesby	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Johnson	O'Brien
Bjornson	Jones	Olson, Bowman
Huseby	Jury	Wendland

So the bill passed and the title was agreed to.

Mr. Sand moved that the vote by which Senate Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Adams: I want to explain my vote and have my remarks printed in the Journal. This law was passed by the legislature out of respect for the ladies and gentlemen who don't smoke in specified places, such as eating places, and so forth, but since the ladies of today disregard the courtesy and blow their smoke in my face when I eat, I am not with them. The law should stand, and I vote "no."

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to the following:

Mrs. Joe Brasseur, Wilton; I. Sanford, Minot; Mrs. C. T. Olson, Bowman; Almond Norton, Cavalier; Elmer Asplund, Cooperstown; Peter P. Vetsel, Balta; Thos. Smartland, Sharon; H. C. Brakke, Aneta; Mrs. Lloyd Arndt, Minot; L. E. Arndt, Minot; Mary Malling, Douglas; Selmer Matland, Manfred; Olive LaBerge, Grafton; Fred Vøedisch, Grand Forks; Vernon Ives, Shields; H. G. Roscoe, LaMoure; Louis Baker, Wolf Liesdown, Art Manlan, Charles Burr, James Baker, Elbowoods; Hollis Green, Braddock; George Olson, Charlson; Steve Dunn and Matt Brauss, Center.

Mr. Godwin moved that the House recess to 1:00 p. m., tomorrow, which motion prevailed and the House was recessed.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-EIGHTH DAY AFTER RECESS AND  
TWENTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 2, 1937.

The House convened at 1:00 p. m., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Olson of Adams moved that the House resolve itself  
into a Committee of the Whole for the consideration of gen-  
eral orders; which motion prevailed.

The Speaker called Mr. Olson of Adams to the chair, and  
the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 54. A Bill for an Act Prohibiting the Mar-  
riage of Minors Under the Supervision of the Juvenile Court  
or State Training School, Without Order of the Juvenile  
Court.

And recommend the adoption of the Standing Committee's  
amendments as follows:

Amend the title of the bill by striking out the "period" at  
the end of the title and adding the following, "Or Superin-  
tendent of the State Training School; for Annulment of Such  
Marriage; and Prescribing Penalties."

Strike out all of Section 1 after the last word in the sub-  
title (Prohibited.)" and insert in lieu thereof the following:  
"It shall be unlawful for any minor, while under the super-  
vision or custody of the Juvenile Court or the Superintendent  
of the State Training School, to marry without the order of  
the Juvenile Court or of the Superintendent of the State

Training School, as the case may be; and any such marriage made without such order shall be subject to annulment in a proceeding brought in District Court by the State's Attorney or by any person authorized by law to bring such annulment action. Any person knowingly aiding, abetting or encouraging such marriage shall be guilty of a misdemeanor."

Also,

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's Amendments as follows:

In Section 2, line 1, of the Original Bill, as amended by the Committee of the Whole (Amendment to be found on pages 303-304 of the Journal), strike out the words "County Superintendents of Schools".

And the further amendment:

On page 3 of the printed bill, after the words and figures "Section 2" strike out the word "That" and insert in lieu thereof the following words: "That County Superintendents of Schools and their deputies shall receive seven cents for each mile actually and necessarily travelled, and that"

Also,

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

And recommend the adoption of the Standing Committee's amendments as follows:

In title, after the word "retail" add a comma and "providing penalty for violation of this act".

Add: "Section 5. Any person, firm or corporation, for failing or neglecting to comply with the provisions of this Act shall be subject to a fine of not more than \$100.00."

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 15, after the word "that," insert the following words: "at least".

In line 21, after the word "person," insert the following words: "qualified as herein provided".

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And recommend the adoption of the Standing Committee's amendments as follows:

In printed bill, page 1, line 3, strike out the figures "\$270,406.00" and insert in lieu thereof the figures "\$246,306.00".

Strike out the entire line 12, page 2, item 4—Salary Adjustments—\$3,700.00.

Page 2, line 15, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$9,000.00."

Page 2, line 16, strike out the figures "\$1,900.00" and insert in lieu thereof the figures "\$1,700.00."

Page 2, line 22, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

Page 2, line 23, strike out the figures "\$7,200.00" and insert in lieu thereof the figures "\$7,000.00."

Page 2, line 26, strike out the figures "\$17,500.00" and insert in lieu thereof the figures "\$15,000.00."

Page 2, line 27, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$8,000.00."

Page 2, line 29, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$9,000.00."

Page 2, line 30, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$3,500.00."

Page 2, line 32, strike out the figures "\$24,000.00" and insert in lieu thereof the figures "\$14,000.00."

Page 2, line 34, strike out the figures "\$293,206.00" and insert in lieu thereof the figures "\$269,606.00."

Page 3, line 36a, strike out the figures "\$260,206.00," and insert in lieu thereof the figures "\$236,606.00."

Page 3, line 38, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

Page 3, line 39, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$2,000.00."

Page 3, line 42, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$500.00."

Page 3, line 48, strike out the figures "\$270,406.00" and insert in lieu thereof the figures "\$246,306.00."

And the further amendment:

That beginning with line 12, of the printed Bill, the lines be correctly re-numbered.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

On page 1, line 3 of the printed bill strike out the figures "\$162,952.58" and insert in lieu thereof the figures "\$148,436.58."

Page 2, line 14, strike out the figures "\$8,383.00" and insert in lieu thereof the figures "\$2,515.00."

Page 2, line 18, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$900.00."

Page 2, line 23, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$400.00."

Page 2, line 24, strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$2,000.00."

Page 2, line 26, strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,000.00."

Page 2, line 29, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$600.00."

Page 2, line 32, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 37, strike out the figures "\$154,034.58" and insert in lieu thereof the figures "\$144,451.58."

Page 3, line 40, strike out the figures "\$134,034.58" and insert in lieu thereof the figures "\$124,351.58."

Page 3, line 42, strike out the figures "\$1,650.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 43, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00."

Page 3, line 44, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$600.00."

Page 3, line 48, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

Page 3, line 51, strike out the figures "\$2,629.00" and insert in lieu thereof the figures "\$2,000.00."

Page 3, line 55, strike out the figures "\$4,313.00" and insert in lieu thereof the figures "\$3,000.00."

Page 3, line 57, strike out the figures "\$1,006.00" and insert in lieu thereof the figures "\$750.00."

Page 4, line 59, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

Page 4, line 62, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

Strike out the entire line "Land Purchase—\$3,500.00" on page 4, line 63.

Page 4, line 65, strike out the figures "\$162,952.58" and insert in lieu thereof the figures "\$148,436.58."

And the further amendments:

On page 2, line 14 of the printed bill, change the figures "10%" to read "3%."

Beginning with line 63 of the printed bill, correctly renumber the lines.

That the totals be corrected to correspond with the items in the bill.

And when so amended recommend the same do pass.

O. C. OLSON,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Magill moved that the absent members be excused, which motion prevailed.

Mr. Page moved that the House adjourn, which motion prevailed and the House adjourned.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### TWENTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 2, 1937.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Opie Rindahl of Bismarck.



The roll was called, and all members were present except Representatives Anderson, Byrne, Godwin, Jones, Olson of Adams and Thoreson.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 27th day after recess and 28th day and recommend that the same be corrected as follows:

Page 266, line 43, change "Joint Resolution "I" to Joint Resolution "N".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public

Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Iver Solberg moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,

February 2, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Also,

Senate Bill No. 34. 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.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 2, 1937.

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

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

House Concurrent Resolution "P."

Which the House has adopted.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 29. A Bill for an Act Amending and Re-

enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

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

Very Respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

N. J. JENSEN,  
Chairman.

Mr. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization, and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 7, Session Laws of 1933, Forbidding the Purchase of Stock by Licensed Buyers Unless Accompanied by a Certificate of Ownership; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 103. A Bill for an Act Requiring Every Secretary of All Boards Who Issue Licenses to Practice Any Profession, to File with the Secretary of State, Record of Licenses Issued and to Issue Copies Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 42. 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.

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

On page 1, line 4, of the printed Bill, strike out the figures "\$195,960.00" and insert in lieu thereof the figures "\$175,840.00".

Page 1, line 10, strike out the figures "\$84,120.00" and insert in lieu thereof the figures "\$75,000.00".

Page 1, line 11, strike out the figures "\$38,000.00" and insert in lieu thereof the figures "\$36,000.00".

Page 1, line 12, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

Page 2, line 13, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$1,000.00".

Page 2, line 14, strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$14,000.00".

Page 2, strike out the entire line 16, "Travel Expense—\$1,000.00".

Page 2, line 20, strike out the figures "\$195,960.00" and insert in lieu thereof the figures "\$175,340.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "J," Repeal of long and short haul clause of Section 4 of the Interstate Commerce Act, have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

House Resolution "G," introduced by Representatives Freitag, Frazier and Schimke, pertaining to an investigation of the State Mill and Elevator, was read.

Mr. Frazier moved that the Resolution be adopted.



Mr. Twichell offered a substitute motion to the effect that the Resolution be referred to the proper committee, which motion prevailed, and House Resolution 'G' was referred to the Committee on State Affairs.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Senate Bill No. 34. 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.

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

#### TWELFTH ORDER OF BUSINESS

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. Speaker: I have the honor to return

House Concurrent Resolution "P."

Which the Senate has amended as follows:

On line 20 after the words Joseph Coughlin, insert the following "or direct the said Joseph Coughlin to procure competent employees."

Very respectfully,

THOMAS McDONALD.  
Secretary.

Mr. Page moved that the House concur in the Senate amendment to House Concurrent Resolution "P."

Mr. Schauss offered a substitute motion to the effect that the House do not concur in the Senate amendment to House Concurrent Resolution "P," which motion prevailed.

Mr. Godwin moved that a conference committee be named

to confer with a like committee from the Senate on House Concurrent Resolution "P," which motion prevailed. The Speaker appointed on such conference committee Representatives Beggs, Fitch and Frosaker.

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. Speaker: I have the honor to return Senate Bill No. 8, and to request that the House correct and explain its amendments to such bill.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Burgum moved that Senate Bill No. 8 be returned to the Senate in its present form, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Mr. Knutson of LaMoure (by request) introduced:

House Bill No. 147. A Bill for an Act to Amend and Re-enact Section 17, of Chapter 148, of the Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

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

Messrs. Kraus and Fitch introduced:

House Bill No. 148. A Bill for an Act Relating to the Crime of Kidnaping and Offenses Connected Therewith; and Providing Penalties Therefor.

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

Messrs. Gessner and Gilberg introduced:

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 635 of the Compiled Laws of 1913, Relating to the Time When Appropriations Made by the Legislative Assembly Shall Become Available, and Prohibiting Any Department, Institution, Industry, Board, Bureau or Commission for Which Appropriation is Made, from Incurring Expense or Liability in Excess of Appropriation Available During Any Period; and Declaring an Emergency.

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

Messrs. Jensen, Bieloh and Semerad (recommended by the Tax Survey Commission) introduced:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

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

Mr. Olson of Adams-Hettinger introduced:

House Bill No. 151. A Bill for an Act Providing for the Licensing and Operating of All Slot Machines, Ball Machines, Mechanical Weighers, Mechanical Venders, and All Other Machines or Mechanical Devices or Apparatus, Operated or Played, by Inserting a Coin, Slug or Other Object and Prohibiting the Manufacturing, Owning, Operating, Selling, Possessing, Leasing, or Transporting of Any Such Mechanical Device or Machine Not Duly Licensed; Empowering the Regulatory Department and Attorney General to Classify Such Slot Machines; Requiring the Destruction of All Machines or Devices of Similar Nature Condemned by Attorney General and the Director of the Regulatory Department; Making Unlawful Any Machine of a Similar Nature Not Duly Licensed; Requiring the Regulatory Department, All Peace Officers, the Attorney General, and All State's Attorneys of the State to Enforce This Act; Providing Penalty for Violation; Continuing in Effect Present Statutory Provisions Prohibiting or Regulating Slot Machines Until This Act Shall Become Effective; 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 Ways and Means.

Messrs. Niewoehner and Goodlaxon introduced:

House Bill No. 152. A Bill for an Act Repealing Section 2173 of the Compiled Laws of North Dakota, 1913, Dealing With Contract Between County Commissioners and Sheriff for Collection of Delinquent Personal Property Taxes on Percentage Basis.

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

Messrs. Bjornson and Godwin introduced:

House Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18, of Chapter 101, of the Session Laws of 1927, and Acts Amendatory Thereto, Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respects to Who May Follow the Occupation of Barbering; and Regulate the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

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

Messrs. Caddell and Wolf introduced:

House Bill No. 154. A Bill for an Act to Appropriate the Sum of One Hundred and Thirty Thousand Dollars (\$130,000.00) from any Moneys in the State Highway Department Fund for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River Between Sioux County and

Emmons County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919, (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913), as Amended and Re-enacted by Chapter 161, Laws of 1927, at or Near the Point Commonly Known and Referred to as the "Cannonball Sounding" Heretofore Made; and Directing the State Highway Commission to Construct Such Bridge and Do All Necessary Preliminary Work; and Declaring an Emergency.

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

Mr. Knutson of LaMoure (by request) introduced:

House Bill No. 155. A Bill for an Act to Be Known as the "Unfair Sales Act"; to Prevent Deceptive Merchandising Practices; to Restrain Unfair Competition in Trade and Industry; to Protect Fair Trade Practices in Distribution of Merchandise; to Define Various Terms Used in Said Act; and Providing Penalty for Violation of the Act.

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

Mr. Rait introduced:

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of all Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

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

## SIXTH ORDER OF BUSINESS

### REPORT OF SELECT COMMITTEES

Mr. Speaker: Your Committee on Employment moves that the names of Evelyn Dada and Beatrice Brunell be stricken from the employment list beginning tomorrow with the understanding that when the matter of enrolling and engrossing is fully settled their places may be filled by others.

EDW. SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report, which motion prevailed and the report was adopted.

### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1937.

Mr. Speaker: I have the honor to inform you that the Sen-

ate has concurred in the House amendment to Senate Bill No. 1.

Very respectfully,

THOMAS McDONALD,  
Secretary.

### SECOND READING OF HOUSE BILLS

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, 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, 64; nays, 46; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Johnson	Peterson, Renville
Beaton	Jury	Ritter
Beggs	Knudson, Steele	Sand
Benno	Krank	Sandness
Black	Kraus	Saumur
Blair	LaBerge	Schauss
Burgum	Langford	Schimke
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Symington
Day	McInnes	Thompson
Dullea	Morland	Thoreson
Fitch	Morris	Traynor
Frazier	Myers	Trydahl
Frey	Nelson, Cass	Twichell
Frosaker	Nelson, Sargent	Urschel
Gessner	Norheim	Wendland
Gilberg	Olson, Bowman	White
Godwin	Olson, Sargent	Mr. Speaker
Graham		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Pewe
Biberdorf	Jensen	Rait
Bieloh	Just	Savre
Billigmeier	Kapaun	Seibel
Bjornson	Knutson, LaMoure	Semerad
Brown	McIntee	Severson
Brusseau	Magill	Solberg
Freitag	Niewoehner	Sticka
Goodlaxon	Obach	Stray

Messrs.	Messrs.	Messrs.
Greiser	O'Brien	Treffry
Hagen	Odegard	Tuff
Haines	Oglesby	Tweten
Hofstrand	Olson, Adams	Wick
Holm	Olson, McLean	Williams
Holmquist	Peterson, Richland	Wolf
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dittmer	Jones

So the bill passed and the title was agreed to.

Mr. Shure of Cass 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.

#### EXPLANATIONS OF VOTES

Mr. Bieloh: I want to explain my vote. I vote "no" on House Bill No. 24 because it is too great an increase over the 1935 appropriation, and the taxpayers today cannot stand an increase over the 1935 appropriation.

Mr. Frazier: I want to vote "yes", and I want to explain my vote and have it recorded in the Journal. I vote yes on this bill because it is the best thing we can do to save the taxpayers a lot of wasted money in conference committees here in the last day of the session, when there will be a rush of legislation and we probably won't know what we are doing anyway. I vote "yes" on this bill because we have reduced the appropriation recommended by the Budget Board by \$6,241.00.

Mr. Hagen: I vote "no" on this bill because I think all the parties have been considered except the men that pay the bills; because there are over three hundred thousand people in the state who are getting along on very much less money than we are appropriating for these salaries.

Mr. Holm. I want to explain my vote and have my explanation recorded in the Journal.

I vote "no" for this bill for the simple reason that in my estimation there isn't enough money to go around. I feel, furthermore, that the primary schools of our state have as yet not come into the picture, and before we come to them the funds will be gone. The primary schools are the very backbone of our nation. For that reason I vote "no."

Mr. Holmquist: I cannot go home to my people to show a record that I voted "yes" for this proposition. Therefore, I say we should take this more seriously. Let us vote, and vote against this raising of salaries everywhere. Therefore, I put my vote as "no."

Mr. Knutson of LaMoure: I vote "no" on this because the last thing they told me in my county when I left was

to vote against any increases in salaries, and I don't want to bite the hand that is feeding me.

Mr. Livingston: I don't want to vote for any increase in salaries, but in order not to hold this up any further, I vote "yes."

Mr. Magill: I am voting "no" on this bill for the simple reason that the House went on record a few days ago as opposed to an increase in salary, and I, for one, am maintaining that position.

Mr. Morland: I am opposed to that part of the bill which contains the salary increase, but in order to facilitate matters and get this thing out of the way, I vote "aye."

Mr. Oglesby: I vote "no" on this bill for the simple reason that we're way behind on our taxes, and there is no possible way of raising them. We have plenty of men who will take the places of those employees, and I understand it is mostly for those drawing salaries of less than two thousand. Therefore I vote "no."

Mr. Semerad: I vote "no" on this bill because I feel that my people are not in a position to pay any increase in salaries. For that reason I vote "no."

Mr. Solberg: I am deeply interested in the University of North Dakota, and her progress, but I am very much more deeply interested in the smaller and lower institutions of learning in our state. Due to the fact that we have not yet appropriated any money, or do not know where we would get it for these institutions, I vote "no" on the salary increase in this bill.

Mr. Thompson: My people sent me here and told me to do the very best I could for the interest of the state. I am trying to do it, and that is the reason I am voting "aye" on this bill.

Mr. Thoreson: I wish to explain my vote. I am opposed to any increase appropriation, but to get out of this difficult situation we are in I vote "aye"; further, for the reason that a matter which was not understood the other day, that the salary increase—this little salary adjustment—should apply only to the University, whereas, now it applies to other instructors in fairness to them.

Mr. Wick: I would like to go on record as voting "no," because I think the raising of salaries at this time is the wrong thing. I can't see my way clear to voting for it, and want to go on record as keeping expenses down.

Mr. Williams: I can't go home and look those old, hard-working farmers in the face and tell them that I voted for an increase. For the last fifty years they have been bearing the burden of taxation. I couldn't do it, fellows. I can't stand here and vote for this bill that will put an additional burden on their old shoulders down there. They told me to come up here and do what I could for them, and I am going to stand by them and do it if I have to vote alone. I vote "no."

Mr. Niewoehner: I realize and I regret that many of our instructors are being underpaid, but because of the most deplorable condition in which our people find themselves, I vote "no" on the salary increase.

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, 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, 73; nays, 38; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Page
Anfinson	Just	Peterson, Bot'neau
Beasley	Kapaun	Peterson, Renville
Beaton	Knudson, Steele	Peterson, Richland
Beggs	Krank	Pewe
Benno	Kraus	Ritter
Blair	LaBerge	Sand
Brown	Langford	Saumur
Burgum	Leum	Schauss
Byrne	Levin	Schimke
Dalzell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dullea	Magill	Sticka
Fitch	Morland	Symington
Frazier	Morris	Thompson
Frey	Myers	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Norheim	Twichell
Godwin	O'Brien	Urschel
Haines	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holthusen	Olson, McLean	Wick
Hultstrand	Olson, Sargent	Mr. Speaker
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Hagen	Sandness
Biberdorf	Hofstrand	Savre
Bieloh	Holmquist	Seibel
Billigmeier	Huseby	Semerad
Bjornson	Ireland	Severson
Black	Jensen	Solberg
Brusseau	Knutson, LaMoure	Stray
Caddell	McIntee	Thoreson
Dittmer	Niewoehner	Tuff
Freitag	Obach	Tweten



Messrs.	Messrs.	Messrs.
Goodlaxon	Odegard	Williams
Graham	Oglesby	Wolf
Greiser	Rait	

Absent and not voting:

Messrs.	Messrs.
Anderson	Jones

So the bill passed and the title was agreed to.

Mr. Twichell 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.

The Speaker called Mr. Wolf to the chair.

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

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, 110; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson

Messrs.	Messrs.	Messrs.
Frazier	Myers	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Goodlaxon	Jones

So the bill passed and the title was agreed to.

Mr. Johnson 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. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from All Taxes, 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, 87; nays, 20; absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Ritter
Akland	Jensen	Sand

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Sandness
Beasley	Jury	Saumur
Beaton	Just	Savre
Beggs	Kapaun	Schauss
Benno	Knutson, LaMoure	Schimke
Biberdorf	Krank	Seibel
Bieloh	Kraus	Semerad
Billigmeier	Levin	Shure, Cass
Bjornson	Livingston	Shurr, Bottineau
Brown	McIntee	Solberg
Brusseau	Morland	Sticka
Caddell	Myers	Stray
Dalzell	Niewoehner	Symington
Dittmer	Nelson, Cass	Thoreson
Fitch	Nelson, Sargent	Traynor
Frazier	Obach	Treffry
Freitag	O'Brien	Trydahl
Gilberg	Odegard	Tuff
Godwin	Oglesby	Tweten
Goodlaxon	Olson, Adams	Twichell
Greiser	Olson, Bowman	Urschel
Hagen	Olson, McLean	Wendland
Haines	Page	White
Hofstrand	Peterson, Bot'neau	Wick
Holm	Peterson, Renville	Williams
Holmquist	Pewe	Wolf
Hultstrand	Rait	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Black	Graham	Morris
Blair	Holthusen	Norheim
Burgum	Knudson, Steele	Olson, Sargent
Day	LaBerge	Peterson, Richland
Dullea	Langford	Severson
Frey	Leum	Thompson
Frosaker	Magill	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Gessner	Jones
Byrne	Huseby	McInnes

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

Mr. Page 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.

Mr. Godwin moved that House Bill No. 79 be moved to the head of the calendar, which motion prevailed.

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department

With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as the roll was called and there were ayes, 61; nays, 46; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Ritter
Akland	Holthusen	Sand
Anfinson	Hultstrand	Savre
Beaton	Jensen	Schauss
Beggs	Knutson, LaMoure	Schimke
Biberdorf	LaBerge	Seibel
Bieloh	Levin	Semerad
Billigmeier	Livingston	Shurr, Bottineau
Bjornson	McIntee	Sticka
Brusseau	Myers	Stray
Burgum	Obach	Thoreson
Byrne	O'Brien	Treffry
Caddell	Odegard	Tuff
Day	Olson, Adams	Tweten
Frazier	Olson, McLean	Urschel
Freitag	Peterson, Bot'neau	White
Godwin	Peterson, Renville	Wick
Goodlaxon	Peterson, Richland	Williams
Greiser	Pewe	Wolf
Hagen	Rait	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	Oglesby
Benno	Ireland	Olson, Bowman
Black	Johnson	Olson, Sargent
Blair	Jury	Page
Brown	Kapaun	Sandness
Dalzell	Knudson, Steele	Saumur
Dittmer	Kraus	Severson
Dullea	Langford	Shure, Cass
Fitch	Leum	Solberg
Frey	McInnes	Symington
Frosaker	Magill	Thompson
Gessner	Morland	Traynor
Gilberg	Morris	Trydahl
Graham	Nelson, Sargent	Twichell
Hofstrand	Norheim	Wendland
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Just	Niewoehner
Jones	Krank	Nelson, Cass

So the bill passed and the title was agreed to.

Mr. Frazier moved that the vote by which House Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, 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, 104; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Akland	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
•Bjornson	Knutson, LaMoure	Schauss
Black	Kraus	Schimke
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	Magill	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray

Messrs.	Messrs.	Messrs.
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frey	Nelson, Sargent	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.  
Frazier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Nelson, Cass
Beaton	Just	Mr. Speaker
Freitag	Krank	

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

Mr. Frazier: I vote "no" on this measure because I must be consistent in the fights I made before, and because of the gentleman's remarks here that there are no ladies involved.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the time limit for introducing appropriation bills be extended to include the thirty-fifth day, and that the time limit for the introduction of other bills be extended to include the fortieth day, which motion prevailed.

House Bill No. 101. A Bill for an Act Requiring the Licensing of Auctioneers; Fixing Fees for Same; How and When Paid; Providing for Bond, and Penalty for Violation and Declaring an Emergency.

Was read the second time.

Mr. Dalzell moved that further consideration of House Bill No. 101 be indefinitely postponed, which motion prevailed.

The Speaker resumed the chair.

Mr. Twichell moved that the balance of the bills on the calendar be continued over until after recess, which motion prevailed.

Mr. Wolf moved that Senate Bill No. 52, which was re-

ferred to the State Affairs Committee, be transferred to the Appropriations Committee, which motion prevailed.

Mr. Anfinson requested an extension of time on House Concurrent Resolution "J," which extension was granted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Cathryn Ray, Cass; Glen Frost and Edwin Liebelt, Harvey; A. M. Kuhfeld, Beach; Henry Lemke, Brockett; Mrs. Geo. Bjornson; Russell Ireland, Ray; Agmar Hellebust, Mohall; J. H. Berg, Cooperstown; Peter Perschke, Center; John A. Smith, Burnstad; Don Dralle, Moffit, H. B. Eck and I. Sandford, Minot; John Wishek, Wishek; Otto Dubs, New Leipzig; Miles Maddock, Bismarck; A. C. Pfenning, Mandan; Oscar Selvig, Bismarck; Emil Miller, Lehr; F. Gordon, La-Moure; Peter Johnson, Mandan; F. J. Barth, I. W. Gerlich, T. F. Murtha, Frank Keller, all of Dickinson; Ted Schmidt, Jamestown; R. J. Hazelton, Fargo; Mr. Greenwood, Bismarck; Morris Erickson, Jamestown; Peter A. Winter and E. O. Kleve, McClusky.

Mr. Twichell moved that the House recess to 1:15 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

TWENTY-NINTH DAY AFTER RECESS AND  
THIRTIETH DAY

House of Representatives,  
Bismarck, North Dakota.  
February 3, 1937.

The House convened at 1:15 p. m., pursuant to recess, Speaker Dahl presiding.

## GENERAL ORDERS

Mr. Morris moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Morris to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 42. 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.

On page 1, line 4, of the printed Bill, strike out the figures "\$195,960.00" and insert in lieu thereof the figures "\$175,340.00".

Page 1, line 10, strike out the figures "\$84,120.00" and insert in lieu thereof the figures "\$75,000.00".

Page 1, line 11, strike out the figures "\$38,000.00" and insert in lieu thereof the figures "\$36,000.00".

Page 1, line 12, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

Page 2, line 13, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$1,000.00".



Page 2, line 14, strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$14,000.00".

Page 2, strike out the entire line 16, "Travel Expense—\$1,000.00".

Page 2, line 20, strike out the figures "\$195,960.00" and insert in lieu thereof the figures "\$175,340.00".

And the further amendment:

That beginning with line 16 of the printed bill, the lines be correctly renumbered.

Also,

House Bill No. 41. 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.

And recommend the adoption of the Standing Committee's amendments as follows:

On the printed bill, on page 1, line 3, strike out the figures "\$38,479.00" and insert in lieu thereof the figures "\$36,209.00".

Page 2, line 14, strike out the figures "\$2,243.00" and insert in lieu thereof the figures "\$673.00".

Page 2, line 34, strike out the figures "\$46,229.00" and insert in lieu thereof the figures "\$44,659.00".

Page 3, line 37, strike out the figures "\$34,229.00" and insert in lieu thereof the figures "\$32,659.00".

Page 3, line 39, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00".

Page 3, line 44, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$400.00".

Page 3, line 50, strike out the figures "\$38,479.00". and insert in lieu thereof the figures "\$36,209.00".

And the further amendment:

On page 2 line 14 of the printed bill strike out the figures "10%" and insert in lieu thereof the following: "3% to be applied on salaries under \$2,000.00 per annum."

And when so amended recommend the same do pass.

HARRY J. MORRIS,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

SIXTH ORDER OF BUSINESS  
REPORTS OF SELECT COMMITTEES

Mr. Speaker: Your Committee on Employment places in nomination the names of the following, for the respective positions and recommend their employment with your approval:

Marie Garske, Stenographer.

Olive LaBerge, Stenographer.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Employment recommend the hiring of the following for enrolling and engrossing force until such time as the matter of enrolling and engrossing is permanently settled for the session:

Effie Dupuis, Enrolling Stenographer.

Bertha Varney, Enrolling Stenographer.

Howard Corwin, Enrolling Stenographer

Dorothea Tabbert, Enrolling Stenographer.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of this report.

ROLL CALL

The question being on Mr. Savre's motion and on the election of Effie Dupuis, Enrolling Stenographer; Bertha Varney, Enrolling Stenographer; Howard Corwin, Enrolling Stenographer and Dorothea Tabbert, Enrolling Stenographer, the roll was called and there were ayes, 94; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Ritter
Beggs	Jensen	Sand
Benno	Johnson	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Savre
Billigmeier	Kapaun	Schauss
Bjornson	Knudson, Steele	Semerad
Blair	Knutson, LaMoure	Severson
Brown	Krank	Shure, Cass
Brusseau	Kraus	Solberg
Burgum	LaBerge	Sticka

Messrs.	Messrs.	Messrs.
Caddell	Langford	Stray
Dalzell	Leum	Symington
Day	Levin	Thompson
Dittmer	Livingston	Thoreson
Dullea	McInnes	Traynor
Fitch	McIntee	Treffry
Freitag	Magill	Trydahl
Frey	Morris	Tuff
Frosaker	Niewoehner	Tweten
Gilberg	Nelson, Cass	Twichell
Goodlaxon	Norheim	Urschel
Graham	Obach	Wendland
Greiser	O'Brien	White
Hagen	Odegard	Wick
Haines	Olson, McLean	Wolf
Hofstrand	Page	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Oglesby	Schimke
Morland	Olson, Bowman	Seibel
Myers	Rait	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Olson, Adams
Black	Jones	Olson, Sargent
Byrne	Nelson, Sargent	Shurr, Bottineau
Gessner		

So the motion prevailed, and the report was adopted, and the nominees were duly elected.

The Speaker administered the oath of office to Effie Depuis, Enrolling Stenographer; Bertha Varney, Enrolling Stenographer; Howard Corwin, Enrolling Stenographer; Dorthea Tabbert, Enrolling Stenographer; Marie Garske, Stenographer, and Olive LaBerge, Stenographer.

Mr. Fitch moved that the House adjourn, which motion prevailed and the House adjourned.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

### THIRTIETH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Opie S. Rindahl of Bismarck.

The roll was called, and all the members were present except Representatives Anderson, Black, Brusseau, Byrne, Gessner and Jones.

So a quorum was declared present.

**REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL**

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-ninth Day after Recess and the Thirtieth Day and recommend that the same be corrected as follows:

On page 241, correct the motion of Mr. Godwin so it will read as follows:

“That the time limit for introducing appropriation bills be extended to include the thirty-fifth day, and that the time limit for the introduction of other bills be extended to include the fortieth day, which motion prevailed.”

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

**REPORTS OF STANDING COMMITTEES**

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: A minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

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

In the fifth line of the title after the word “societies,” strike out the rest of the title and add “which were purchased prior to the taking effect of this act.”

In line 2, of Section 1, after the word “existing,” strike out the words “are hereafter imposed”.

In line 6, of Section 1, after the word “societies” add the following: “Which were purchased prior to the taking effect of this act.”

Strike out all of Section 2, also in line 1 of Section 3, change the letter "3" to Section "2."

And when so amended recommend the same do pass.

C. P. GILBERG,  
W. H. SHURE.

Mr. Gilberg moved that the report be adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: A majority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN, Chairman,  
OLE B. STRAY,  
WM. H. WICK,  
A. J. KAPAUN,  
OLE AKLAND,  
C. M. PETERSON, Renville,  
GUS A. SCHAUSS,  
FRED J. SHURR,  
C. T. OLSON,  
H. W. BROWN.

Mr. Page moved that the report be adopted.

Mr. Burgum offered as a substitute motion that the report of the minority be adopted, which motion was lost.

The question now being on Mr. Jensen's original motion, the motion prevailed, the majority report was adopted and Senate Bill No. 67 was indefinitely postponed.

The Speaker called Mr. Wolf to the chair.

The Speaker resumed the chair.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "P", and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Beggs, Fitch and Fro-saker.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

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

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Also,

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from

All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

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

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

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

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Also,

Senate Bill No. 34. 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.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Concurrent Resolution "P", Senators Cain, Whelan and Kroeber.

Very respectfully,

THOMAS DeDONALD,  
Secretary.

## REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Resolution "G"

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Greiser moved that House Resolution "G" be printed in the journal, which motion prevailed.

## HOUSE RESOLUTION "G"

Introduced by Freitag, Frazier and Schimke

WHEREAS, pursuant to House Resolution "E" passed by the House of Representatives on January 28, 1937, requiring the State Industrial Commission to submit certain information relative to the disposition made of the Processing Tax impounded by order of the Federal Court in an amount of \$575,049.82, and other information, and

WHEREAS, a part of the information sought in Resolution "E" at this time has been printed in the Journal, and

WHEREAS, this information so filed discloses that thousands of dollars of this Processing Tax money has been squandered and spent for political purposes and paid out to divers persons without any services being rendered to the State of North Dakota for the same, or to the State Mill and Elevator, and that these monies so paid out are paid out in a wholly illegal manner, for illegal purposes, and

WHEREAS, \$7349.75 of these monies was paid out on voucher No. 17843, and

WHEREAS, this voucher has been taken from the files in the Mill and Elevator, and

WHEREAS, other files in the Mill and Elevator have been rifled, and

WHEREAS, the files of F. F. Burchard, Certified Public Accountant, who is now making an audit of the Mill and Elevator, reports that his files containing important information, have been rifled within the last two weeks.

NOW THEREFORE, BE IT RESOLVED, that the House of Representatives requires and demands that the State Industrial Commission proceed under the powers granted them, as provided for in sub-section H of Section 368 a-5 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and conduct a searching investigation into the condition of the State Mill and Elevator, and that they start prosecution of any individual, or individuals, regardless of whom they may be, who has violated any trust, or any of the criminal or civil laws of this State, that action be commenced to recover these monies and that criminal proceedings, if so warranted, be instituted without further delay, and that a copy of this resolution be served on the members of the Industrial Commission and that they be further instructed to conduct this investigation as far back as the statute of limitation will apply, and that they make all their findings public so that the citizens of this state and the taxpayers may know just exactly what has been done with their monies and that they further be required to submit an answer to this House not later than three days from this date that these instructions will be followed and carried out.

## REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "O"

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE RESOLUTION "F"

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

On page 1, line 3, of the printed bill, strike out the figures "\$278,932.77" and insert in lieu thereof the figures "\$195,715.97".

Page 2, line 13, strike out the figure "10%" and insert in lieu thereof "3%" to be applied on salaries under \$2,000.00 per annum."

Page 2, line 13, strike out the figures "\$18,354.00" and insert in lieu thereof the figures "\$5,506.20".

Page 2, line 15, strike out the figures "\$50,400.00" and insert in lieu thereof the figures "\$49,128.00".

Page 2, line 16, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$2,000.00".

Page 2, line 20, strike out the figures "\$1,600.00" and insert in lieu thereof the figures "\$1,500.00".

Page 2, line 21, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

Page 2, line 24, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00".

Page 2, line 25, strike out the figures "\$6,172.00" and insert in lieu thereof the figures "\$6,000.00".

Page 2, line 33, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$6,000.00".

Page 3, strike out the entire line 35, "Sales Tax, State Purchases—\$3,500.00".

Page 3, line 37, strike out the figures "\$572,237.77" and insert in lieu thereof the figures "\$549,145.97".

Page 3, line 40, strike out the figures "\$183,837.77" and insert in lieu thereof the figures "\$160,745.97".

Page 3, line 42, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,000.00".

Page 3, line 44, strike out the entire line "New Water Main to Farm and Dairy—\$1,050.00".

Page 3, line 46, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

Page 3, strike out the entire line 47 "Steam Extension, Dairy Barn—\$1,175.00".

Page 3, line 48, strike out the figures "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Page 3, line 49, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00".

Page 3, strike out the entire line 52, "Power House—\$21,000.00".

Page 3, strike out the entire line 55 "Water Softening Plant—\$8,000.00".

Page 3, line 58, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$200.00".

Page 4, strike out the entire line 59 "Laundry—\$6,000.00".

Page 4, strike out the entire line 60 "Hospital, New Unit, Furnishings, etc.—\$20,000.00".

Page 4, strike out the entire line 64 "Complete Appraisal—\$100.00".

Page 4, line 66, strike out the figures "\$278,932.77" and insert in lieu thereof the figures "\$195,715.97".

Page 3, begin re-numbering from line 36, changing that to 35; 37 to 36; 38 to 37; 39 to 38; 40 to 39; 41 to 40; 42 to 41; 43 to 42; 45 to 43; 46 to 44; 48 to 45; 49 to 46; 50 to 47; 51 to 48; 53 to 49; 54 to 50; 56 to 51; 57 to 52; 58 to 53.

Page 4, change line 61 to 54; 62 to 55; 63 to 56; 65 to 57; 66 to 58.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Counties made the following report:

Mr. Speaker: Your Committee on Counties to whom was referred:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

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

In line 1, of the title of the printed Bill, after the figures "92," strike out the comma and insert the following words: "of the Session Laws of 1933" comma, and strike out all of Line 9 in the title, and insert in lieu thereof, the following words: "and parts of Acts in conflict herewith."

And when so amended recommend the same do pass.

R. W. FRAZIER,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Producers or Distributors Have Any Interest.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 113. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life Insurance Agents Who Are Residents of Another State.

Have had the same under consideration and recommend that the same be indefinitely postponed.

LEONAS MYERS,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Schools and Public Lands made the following report:

Mr. Speaker: Your Committee on Schools and Public Lands to whom was referred:

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Have had the same under consideration and recommend that the same do pass.

HARVEY BRUSSEAU,  
Chairman.

Mr. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

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

On page 1 in the title of the printed bill, strike out the following words and comma in lines 6 and 7 "Requiring the Same to be Approved by the Speaker of the House."

On page 2, Section 1, line 9, strike out the "comma" after the word "chamber" and insert in lieu thereof a "period" and strike out entirely the remainder of the line and also all of line 10.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

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

Page 1, line 3 of the title of the printed bill, strike out the "period" after the word "Labor" and insert in lieu thereof a "comma" and add the following words "And Declaring an Emergency."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Adam moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

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

On line 6 of the title of the printed bill, strike out the "period" after "1913" and insert in lieu thereof a "comma" and add the following words "and Declaring an Emergency."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Norheim moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 93. A Bill for an Act Making an Appropriation for the Purpose of Conducting Grain Festivals or Exhibitions to Advertise the Products and Resources of the State.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Biberdorf moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

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

In lines 3 and 4, in Section 1, page 1, strike out the words and figures "Nine Hundred Forty-seven Dollars and Ten Cents (\$947.10)" and insert in lieu thereof the words and figures "Nine Hundred Twenty-eight Dollars and Fifty-three Cents (\$928.53)".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.



Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

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

In the printed Bill, page 1, line 1, of the title, strike out the word "an" and insert in lieu thereof the words "a Deficit".

Page 1, line 3, of the title, strike out the "period" after 1933 and insert in lieu thereof a "semicolon" and add the following words: "Declaring an Emergency."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Biberdorf moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the courtesies of the floor be extended to former Representative Carl G. Keidel of Morton County.

Which motion prevailed.

Mr. Traynor moved that the House reconsider the action it took in indefinitely postponing House Bill No. 93.

Which motion prevailed.

Mr. Sand moved that House Bill No. 93 be re-referred to the Appropriations Committee.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION "Q," "Memorializing Congress to Provide Federal Funds for the Care of the Ward Indians and the Dependent Children of Ward Families."

Was read.

Mr. Freitag moved that House Concurrent Resolution "Q" be adopted, which motion prevailed and the Resolution was adopted.

#### FOURTH ORDER OF BUSINESS

Mr. Godwin asked permission to have a telegram sent him by Dr. E. C. Stone of Minot, North Dakota, read by the

Clerk, which permission was granted, and the telegram was read.

### FIRST READING OF HOUSE BILLS

Mr. Thoreson (by request) introduced:

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

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

Mr. Semerad introduced:

House Bill No. 158. A Bill for an Act to Amend and Re-enact Section 2170 of the 1913 Compiled Laws of the State of North Dakota, Relating to Removal and Disposal of Personal Property on Which Taxes Remain Unpaid.

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

Mr. McIntee (by request) introduced:

House Bill No. 159. A Bill for an Act to Amend and Re-enact Section 5½ of Chapter 180 of the Session Laws of 1927, and as Amended by Chapter 187 of the Session Laws of 1931, Being an Act to Require Registration Cards and Fixing the Place of Carrying Same on Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; and to Impose Penalties for Violation of This Act.

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

Messrs. Solberg( Seibel, Ireland and Olson of Bowman introduced:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

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

Nellie Olson introduced.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 18, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

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

Messrs. Wolf, Dalzell and O'Brien introduced:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

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

Mr. Byrne introduced:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

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

Messrs. Godwin, Treffry and Kapaun introduced:

House Bill No. 164. A Bill for an Act for the Purpose of Establishing a Six-Man Game and Fish Commission, They to Have Power to Appoint a Director of Game and Fish, and to Conduct Other Business Pertaining to Game and Fish.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications 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, 92; nays, 1; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Benno	Johnson	Sandness
Biberdorf	Jury	Saumur
Bieloh	Kapaun	Savre
Billigmeier	Knudson, Steele	Schauss

Messrs.	Messrs.	Messrs.
Bjornson	Knutson, LaMoure	Schimke
Blair	Krank	Severson
Brown	Kraus	Shure, Cass
Brusseau	LaBerge	Shurr, Bottineau
Burgum	Langford	Solberg
Byrne	Leum	Sticka
Dalzell	Levin	Stray
Day	Livingston	Symington
Dullea	McInnes	Thompson
Fitch	McIntee	Thoreson
Frazier	Magill	Treffry
Freitag	Morland	Trydahl
Frey	Morris	Tuff
Frosaker	Myers	Tweten
Goodlaxon	Niewoehner	Twichell
Graham	Nelson, Cass	Urschel
Greiser	Obach	Wendland
Hagen	O'Brien	Wick
Haines	Odegard	Williams
Hofstrand	Oglesby	Wolf
Holm	Olson, Adams	Mr. Speaker
Holmquist	Page	

Those voting in the negative were:

Messrs.

Olson, Sargent

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Ritter
Beggs	Jones	Sand
Black	Just	Seibel
Caddell	Nelson, Sargent	Semerad
Dittmer	Norheim	Traynor
Gessner	Olson, Bowman	White
Gilberg	Olson, McLean	

So the bill passed and the title was agreed to.

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

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, 97; nays, 0; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Page
Akland	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Richland

Messrs.	Messrs.	Messrs.
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Gilberg	Nelson, Sargent	Trydahl
Goodlaxon	Niewoehner	Tuff
Graham	Obach	Tweten
Greiser	O'Brien	Urschel
Hagen	Odegard	Wendland
Haines	Oglesby	Wick
Hofstrand	Olson, Adams	Williams
Holm	Olson, Bowman	Wolf
Holmquist	Olson, Sargent	Mr. Speaker
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Peterson, Renville
Beggs	Jones	Sand
Black	Just	Schimke
Fitch	Norheim	Twichell
Frosaker	Olson, McLean	White
Gessner		

So the bill passed and the title was agreed to.

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School 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, 92; nays, 10; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe

Messrs.	Messrs.	Messrs.
Beaton	Ireland	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Savre
Brown	Knutson, LaMoure	Schauss
Brusseau	Krank	Schimke
Burgum	Kraus	Seibel
Byrne	LaBerge	Semerad
Caddell	Langford	Severson
Dalzell	Leum	Shure, Cass
Day	Levin	Shurr, Bottineau
Dullea	McInnes	Solberg
Fitch	McIntee	Sticka
Freitag	Magill	Stray
Frey	Morland	Symington
Frosaker	Morris	Thompson
Gilberg	Myers	Thoreson
Godwin	Niewoehner	Treffry
Goodlaxon	Nelson, Sargent	Trydahl
Graham	Norheim	Tuff
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Odegard	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Page	Williams
Holthusen	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Oglesby	Twichell
Anfinson	Olson, Sargent	Wolf
Blair	Traynor	Mr. Speaker
Livingston		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frazier	Nelson, Cass
Beggs	Gessner	Olson, McLean
Black	Jensen	Peterson, Renville
Dittmer	Jones	

So the bill passed and the title was agreed to.

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, 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, 101; nays, 2; absent and not voting 10.

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Benno	Kapaun	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schauss
Blair	LaBerge	Schimke
Brown	Langford	Seibel
Brusseau	Leum	Semerad
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Gilberg	Nelson, Sargent	Traynor
Godwin	Norheim	Treffry
Goodlaxon	Obach	Trydahl
Graham	O'Brien	Tuff
Greiser	Odegard	Tweten
Hagen	Oglesby	Twichell
Haines	Olson, Adams	Urschel
Hofstrand	Olson, Bowman	Wendland
Holm	Olson, McLean	White
Holmquist	Olson, Sargent	Wick
Holthusen	Page	Williams
Hultstrand	Peterson, Bot'neau	Mr. Speaker
Huseby	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.
Akland	Just

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frey	Jones
Beggs	Frosaker	Nelson, Cass
Black	Gessner	Wolf
Burgum		

So the bill passed and the title was agreed to.

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items 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, 79; nays, 25; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Peterson, Renville
Beaton	Jury	Peterson, Richland
Beggs	Kapaun	Pewe
Benno	Knutson, LaMoure	Ritter
Billigmeier	Krank	Sand
Bjornson	Kraus	Sandness
Blair	LaBerge	Saumur
Brown	Langford	Schauss
Byrne	Leum	Schimke
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	McInnes	Solberg
Dittmer	McIntee	Sticka
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Olson, Bowman	Wendland
Holm	Olson, McLean	White
Holthusen	Olson, Sargent	Wick
Hultstrand	Page	Wolf
Huseby	Peterson, Bot'neau	Mr. Speaker
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Rait
Biberdorf	Jensen	Savre
Bieloh	Just	Seibel
Brusseau	Magill	Semerad
Freitag	Niewoehner	Stray
Goodlaxon	Obach	Tuff
Hagen	Oglesby	Tweten
Haines	Olson, Adams	Williams
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Black	Jones
Anfinson	Burgum	Knudson, Steele
Beasley	Gessner	Severson

So the bill passed and the title was agreed to.

The Speaker called Mr. Wolf to the chair.



House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

Was read the second time.

Mr. Hultstrand moved that further consideration of House Bill No. 114 be indefinitely postponed.

Mr. Godwin offered a substitute motion to the effect that House Bill No. 114 be re-referred to the State Affairs Committee.

Which motion prevailed.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

## SIXTH ORDER OF BUSINESS

Mr. Speaker: Your Conference Committee appointed to confer with a like Committee of the House on the Senate amendment to House Resolution "P" recommend that the Senate withdraw its amendment to the Resolution and adopt the same as passed by the House.

For the House:  
ARLO E. BEGGS  
K. A. FITCH  
O. G. FROSAKER

For the Senate:  
J. P. CAIN  
TOM WHELAN  
WILLIAM KROEBER

Mr. Beggs moved that the report be adopted and the conference committee be discharged, which motion prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also,

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 3, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on House Resolution "P."

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk

#### ELEVENTH ORDER OF BUSINESS

#### SECOND READING OF HOUSE BILLS

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

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, 65; nays, 40; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Olson, Sargent
Anfinson	Johnson	Page
Beasley	Just	Peterson, Bot'neau
Benno	Kapaun	Peterson, Renville
Bjornson	Knudson, Steele	Ritter
Blair	Krank	Sand
Burgum	Kraus	Saumur
Byrne	LaBerge	Schauss
Caddell	Langford	Severson
Dalzell	Leum	Shure, Cass
Day	Levin	Shurr, Bottineau
Dullea	Livingston	Symington
Fitch	McInnes	Thompson
Frazier	McIntee	Thoreson
Frey	Magill	Traynor
Frosaker	Morris	Trydahl

Messrs.	Messrs.	Messrs.
Gilberg	Myers	Twichell
Graham	Nelson, Cass	Urschel
Hagen	Nelson, Sargent	Wendland
Holm	Norheim	White
Holt husen	O'Brien	Wolf
Hultstrand	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Pewe
Beaton	Ireland	Rait
Beggs	Jensen	Sandness
Biberdorf	Jury	Schimke
Bieloh	Knutson, LaMoure	Seibel
Billigmeier	Morland	Semerad
Brown	Niewoehner	Solberg
Brusseau	Obach	Stray
Dittmer	Oglesby	Treffry
Freitag	Olson, Adams	Tuff
Goodlaxon	Olson, Bowman	Tweten
Greiser	Olson, McLean	Wick
Haines	Peterson, Richland	Williams
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Sticka
Black	Jones	Mr. Speaker
Gessner	Savre	

So the bill passed and the title was agreed to.

Mr. Traynor moved that the vote by which House Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

Mr. Shure moved that House Bill No. 43 be re-referred to the Appropriations Committee.

The question being on Mr. Shure's motion, a division was called for, and the motion was lost.

Mr. Beggs 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, 89; nays, 17; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Bowman
Anfinson	Huseby	Olson, McLean
Beasley	Ireland	Olson, Sargent
Beggs	Johnson	Page
Benno	Jury	Peterson, Bot'neau
Biberdorf	Just	Peterson, Renville
Billigmeier	Kapaun	Peterson, Richland
Bjornson	Knudson, Steele	Pewe
Brown	Knutson, LaMoure	Rait
Brusseau	Krank	Ritter
Burgum	Kraus	Sand
Byrne	LaBerge	Sandness
Caddell	Langford	Saumur
Day	Leum	Schauss
Dittmer	Levin	Schimke
Dullea	Livingston	Severson
Fitch	McInnes	Shurr, Bottineau
Frazier	McIntee	Solberg
Freitag	Magill	Thompson
Frey	Morland	Thoreson
Frosaker	Morris	Treffry
Goodlaxon	Myers	Trydahl
Graham	Niewoehner	Tweten
Greiser	Nelson, Cass	Urschel
Hagen	Nelson, Sargent	Wendland
Haines	Norheim	White
Hofstrand	Obach	Williams
Holm	O'Brien	Wolf
Holmquist	Odegard	Mr. Speaker
Holthusen	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Oglesby	Symington
Bieloh	Savre	Traynor
Blair	Seibel	Tuff
Dalzell	Semerad	Twichell
Gilberg	Shure, Cass	Wick
Jensen	Stray	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Gessner	Jones
Anderson	Godwin	Sticka
Black		

So the bill passed and the title was agreed to.

Mr. Morris moved that the vote by which House Bill No. 43 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Ireland: I am voting "aye" on this question for the reason that after listening to this discussion around here I believe they are going to have an increase in the population down in Jamestown.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws

of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom it Shall Take Effect and Be in Force upon their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932 Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, 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, 95; nays, 7; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Page
Akland	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Pewe
Beaton	Johnson	Ritter
Beggs	Jury	Sandness
Benno	Just	Saumur
Biberdorf	Kapaun	Savre
Bieloh	Knudson, Steele	Schauss
Billigmeier	Knutson, LaMoure	Seibel
Bjornson	Krank	Semerad
Brown	Kraus	Severson
Brusseau	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Stray
Dittmer	McInnes	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Goodlaxton	Nelson, Sargent	Tweten

Messrs.	Messrs.	Messrs.
Graham	Norheim	Twichell
Greiser	Obach	Urschel
Hagen	O'Brien	White
Haines	Odegard	Wick
Hofstrand	Oglesby	Williams
Holm	Olson, Adams	Wolf
Holmquist	Olson, Bowman	Mr. Speaker
Holthusen	Olson, McLean	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	McIntee	Rait
Gilberg	Olson, Sargent	Wendland
LaBerge		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Gessner	Sand
Black	Godwin	Schimke
Burgum	Jones	Sticka
Day	Peterson, Richland	

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

Mr. Nelson of Sargent moved that the vote by which House Bill No. 72 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker resumed the chair.

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

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, 68; nays, 39; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hagen	Olson, Adams
Anfinson	Haines	Olson, Bowman
Beasley	Hofstrand	Olson, McLean
Beaton	Holm	Peterson, Renville
Beggs	Holmquist	Peterson, Richland
Benno	Holthusen	Pewe
Biberdorf	Hultstrand	Rait
Bieloh	Huseby	Sandness
Billigmeier	Ireland	Schauss
Bjornson	Jensen	Schimke
Brown	Just	Seibel

Messrs.	Messrs.	Messrs.
Brusseau	Kraus	Severson
Byrne	LaBerge	Solberg
Caddell	Livingston	Stray
Dalzell	McIntee	Symington
Day	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Tweten
Freitag	Myers	Twichell
Frosaker	Niewoehner	Urschel
Godwin	Obach	White
Goodlaxon	O'Brien	Williams
Knutson, LaMoure	Semerad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Langford	Sand
Blair	Leum	Saumur
Dittmer	Levin	Savre
Dullea	McInnes	Shure, Cass
Frey	Nelson, Cass	Shurr, Bottineau
Gilberg	Nelson, Sargent	Traynor
Graham	Norheim	Treffry
Greiser	Odegard	Trydahl
Johnson	Oglesby	Tuff
Jury	Olson, Sargent	Wendland
Kapaun	Page	Wick
Knudson, Steele	Peterson, Bot'neau	Wolf
Krank	Ritter	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Burgum	Jones
Black	Gessner	Sticka

So the bill passed and the title was agreed to.

Mr. Tweten moved that the vote by which House Bill No. 85 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

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

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.



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

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

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, 52; nays, 54; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	O'Brien
Benno	Jury	Oglesby
Blair	Just	Olson, Bowman
Brown	Kapaun	Olson, Sargent
Burgum	Knudson, Steele	Page
Dalzell	Kraus	Peterson, Renville
Dittmer	LaBerge	Peterson, Richland
Dullea	Langford	Sandness
Fitch	Leum	Saumur
Frey	McInnes	Severson
Frosaker	Magill	Shure, Cass
Gilberg	Morland	Symington
Goodlaxon	Morris	Thompson
Graham	Niewoehner	Traynor
Holm	Nelson, Cass	Trydahl
Holthusen	Nelson, Sargent	Twichell
Huseby	Norheim	Wendland
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Ritter
Akland	Hofstrand	Sand
Anfinson	Holmquist	Savre
Beaton	Hultstrand	Schauss
Beggs	Jensen	Schimke
Biberdorf	Knutson, LaMoure	Seibel
Bieloh	Krank	Semerad
Billigmeier	Levin	Shurr, Bottineau
Bjornson	Livingston	Stray
Brusseau	McIntee	Thoreson

Messrs.	Messrs.	Messrs.
Byrne	Myers	Treffry
Caddell	Obach	Tuff
Day	Odegard	Tweten
Frazier	Olson, Adams	Urschel
Freitag	Olson, McLean	Wick
Godwin	Peterson, Bot'neau	Williams
Greiser	Pewe	Wolf
Hagen	Rait	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Sticka
Black	Solberg	White
Gessner		

So the bill was lost.

Mr. Freitag moved that the vote by which Senate Bill No. 46 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Magill: I want to explain my vote, and I want it recorded in the Journal.

I believe that in a responsible position of this kind, a certain amount of independence should be accorded the holder of the office, and for that reason I vote "yes."

Mr. Schauss moved that Senate Bill No. 38 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

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, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Anfinson	Johnson	Peterson, Richland
Beasley	Jury	Pewe
Beaton	Just	Rait
Benno	Kapaun	Ritter
Biberdorf	Knudson, Steele	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Savre
Blair	LaBerge	Schauss
Brown	Langford	Schimke

Messrs.	Messrs.	Messrs.
Burgum	Leum	Seibel
Byrne	Levin	Semerad
Caddell	Livingston	Severson
Dalzell	McInnes	Shure, Cass
Day	McIntee	Shurr, Bottineau
Dittmer	Magill	Solberg
Dullea	Morland	Stray
Fitch	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Hagen	Odegard	Twichell
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.  
Frazier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Brusseau	Jones
Beggs	Gessner	Sticka
Black	Greiser	White

So the bill passed and the title was agreed to.

Mr. Fitch moved that the vote by which Senate Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Frazier: I want to explain my vote and have my remarks recorded in the Journal.

I want to be consistent in my vote, and I have said I would not vote for any new furniture and fixtures. I see that item in this bill, and therefore I vote "no." I know this bill will be passed anyway, but I want to be consistent.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that action on Senate Bill No. 14 be deferred one calendar day.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assess-

ments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, 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, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Akland	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Blair	LaBerge	Schimke
Brown	Langford	Seibel
Brusseau	Leum	Semerad
Byrne	Livingston	Severson
Caddell	McInnes	Shure, Cass
Dalzell	McIntee	Shurr, Bottineau
Day	Magill	Solberg
Frazier	Morland	Stray
Freitag	Morris	Symington
Frey	Myers	Thoreson
Frosaker	Niewoehner	Traynor
Gilberg	Nelson, Cass	Treffry
Godwin	Nelson, Sargent	Trydahl
Goodlaxon	Norheim	Tuff
Graham	Obach	Tweten
Greiser	O'Brien	Twichell
Hagen	Odegarú	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Levin
Beggs	Fitch	Olson, Adams
Black	Gessner	Sticka
Burgum	Jones	Thompson
Dittmer	Kraus	Williams

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

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider its action in adopting the report placing Senate Concurrent Resolution "J" on the calendar, which motion prevailed.

Mr. Godwin moved the adoption of Senate Concurrent Resolution "J", which motion prevailed and the Resolution was adopted.

## SECOND READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

Was read the second time.

Mr. Knudson of Steele moved that Senate Bill No. 89 be referred to the Committee on Taxes and Tax Laws, which motion was lost.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Johnson	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Krank	Savre
Bjornson	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Schimke
Brown	LaBerge	Seibel
Brusseau	Langford	Semerad
Byrne	Leum	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dullea	Magill	Stray
Frazier	Morland	Symington
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gilberg	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Bowman	White
Hofstrand	Olson, McLean	Wick
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Norheim
Beggs	Gessner	Olson, Adams
Black	Jones	Sticka
Burgum	Kraus	Thompson
Dittmer	Levin	Williams

So the bill passed and the title was agreed to.

Mr. Morland: I vote "aye" for the purpose of reconsideration.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Bennie Hanson, Sheyenne; Frank P. Whitney, Dickinson; Jack Patterson, Minot; Joe Wicks, Cannonball; Rev. G. C. Landgrebe, Wishek; Lydia Sweitz, Jamestown; Mike Hilsendeger, Napoleon; Leon Ellithorpe, Minot; H. W. Byfield and P. K. Lewis, Fargo; Abe Husfloen, Harmon; J. W. Murray, Cando; Lawrence Erickson, Minot; Paulina Sticka, Mary Sticka and Jack Wanner, New England; R. Weishaar and Frank Markow, Elgin; A. F. Fir, Nome; Wm. J. Braun, Wahpeton; Vernon M. Johnson, Wahpeton; John Kelle, Wishek; August Chole, Balfour; Jerome Erickson and Orville Olson, Finley; J. Schmidt, McClusky; P. M. Clark, Mohall; Donald Erickson, Watford City; Marion Fish, Bottineau; Ed Dubs, Bismarck; Olias R. Emck, Bowman; E. P. Christensen, Minot; Ronald Davies, Grand Forks; Winifred Fine, Sheyenne; Ronald Peterson, Watford City; Ronald Darnes, Grand Forks.

Mr. Twichell moved that the House recess to 1:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTIETH DAY AFTER RECESS AND  
THIRTY-FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

The House convened at 1:30 p. m., pursuant to recess, Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House reconsider its action on Senate Concurrent Resolution "J", which motion prevailed.

Mr. Fitch moved that Senate Concurrent Resolution "J" be re-referred to the committee, which motion prevailed and Senate Concurrent Resolution "J" was re-referred to the Committee on Ways and Means.

GENERAL ORDERS

Mr. Traynor moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Traynor to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

On page, 1, line 3, of the printed bill, strike out the figures "\$278,932.77" and insert in lieu thereof the figures "\$195,715.97".

Page 2, line 13, strike out the figure "10%" and insert in lieu thereof "3%" to be applied on salaries under \$2,000.00 per annum."

Page 2, line 13, strike out the figures "\$18,354.00" and insert in lieu thereof the figures "\$5,506.20".

Page 2, line 15, strike out the figures "\$50,000.00" and insert in lieu thereof the figures "\$49,128.00".

Page 2, line 16, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$2,000.00".

Page 2, line 20, strike out the figures "\$1,600.00" and insert in lieu thereof the figures "\$1,500.00".

Page 2, line 21, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

Page 2, line 24, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00".

Page 2, line 25, strike out the figures "\$6,172.00" and insert in lieu thereof the figures "\$6,000.00".

Page 2, line 33, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$6,000.00".

Page 3, strike out the entire line 35, "Sales Tax Purchases—\$3,500.00".

Page 3, line 37, strike out the figures "\$572,237.77" and insert in lieu thereof the figures "\$549,145.97"..

Page 3, line 40, strike out the figures "\$183,837.77". and insert in lieu thereof the figures "\$160,745.97".

Page 3, line 42, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,000.00."

Page 3, line 44, strike out the entire line "New Water Main to Farm and Dairy—\$1,050.00".

Page 3, line 46, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

Page 3, strike out the entire line 47 "Steam Extension, Dairy Barn—\$1,175.00".

Page 3, line 48, strike out the figures "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Page 3, line 49, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00".

Page 3, strike out the entire line 52, "Power House—\$21,000.00".

Page 3, strike out the entire line 55 "Water Softening Plant—\$8,000.00".

Page 3, line 58, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$200.00".

Page 4, strike out the entire line 59 "Laundry—\$6,000.00".

Page 4, strike out the entire line 60 "Hospital, New Unit, Furnishings, etc.—\$20,000.00".

Page 4, strike out the entire line 64 "Complete Appraisal—\$100.00".

Page 4, line 66, strike out the figures "\$278,932.77" and insert in lieu thereof the figures "\$195,715.97".



Page 3, begin re-numbering from line 36, changing that to 35; 37 to 36; 38 to 37; 39 to 38; 40 to 39; 41 to 40; 42 to 41; 43 to 42; 45 to 43; 46 to 44; 48 to 45; 49 to 46; 50 to 47; 51 to 48; 53 to 49; 54 to 50; 56 to 51; 57 to 52; 58 to 53.

Page 4, change line 61 to 54; 62 to 55; 63 to 56; 65 to 57; 66 to 58.

And when so amended recommend the same do pass.

Also,

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

And recommended the adoption of the Standing Committee's amendments as follows:

In line 1, of the title of the printed Bill, after the figures "92," strike out the comma and insert the following words: "of the Session Laws of 1933" comma, and strike out all of Line 9 in the title, and insert in lieu thereof, the following words: "and parts of Acts in conflict herewith."

And when so amended recommend the same do pass.

Also,

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendment as follows:

On page 1 in the title of the printed bill, strike out the following words and comma in lines 6 and 7 "Requiring the Same to be Approved by the Speaker of the House."

On page 2, Section 1, line 9, strike out the "comma" after the word "chamber" and insert in lieu thereof a "period" and strike out entirely the remainder of the line and also all of line 10.

And when so amended recommend the same do pass.

Also,

House Bill No. 60. A Bill for an Act Making an Appro-

appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

And recommend the adoption of the Standing Committee's amendments as follows:

Page 1, line 3 of the title of the printed bill, strike out the "period" after the word "Labor" and insert in lieu thereof a "comma" and add the following words: "And Declaring an Emergency.

And when so amended recommend the same do pass.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 6 of the title of the printed bill, strike out the "period" after "1913" and insert in lieu thereof a "comma" and add the following words: "and Declaring an Emergency."

And when so amended recommend the same do pass.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 3 and 4, in Section 1, page 1, strike out the words and figures "Nine Hundred Forty-seven Dollars and Ten Cents (\$947.10)" and insert in lieu thereof the words and figures "Nine Hundred Twenty-eight Dollars and Fifty-three Cents (\$928.53)".

And when so amended recommend the same do pass.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed Bill, page 1, line 1, of the title, strike out the word "an" and insert in lieu thereof the words "a Deficit".

Page 1, line 3, of the title, strike out the "period" after

1933 and insert in lieu thereof a "semicolon" and add the following words: "Declaring an Emergency."

And when so amended recommend the same do pass.

EDWIN TRAYNOR,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Niewoehner moved that the absent members be excused.

Which motion prevailed.

Mr. Ritter moved that the House adjourn, which motion prevailed and the House adjourned.

#### THIRTY-FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Opie S. Rindahl of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Black, Gessner, Godwin and Jones.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-ninth Day after Recess and the Thirtieth Day and recommend that the same be corrected as follows:

On page 456 Blair is shown voting "aye" whereas he voted "no."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Resolution from the Board of County Commissioners of Logan county, referred to Committee on State Affairs.

Resolution from Board of County Commissioners of Ransom county, referred to Committee on State Affairs.

Two Resolutions from the Lions Club of Steele, North Dakota, referred to Committee on State Affairs.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 41. 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.

Also,

House Bill No. 42. 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.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

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

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas,

and Providing a Penalty for the Violation Thereof.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

JOINT RESOLUTION "I"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Concurrent Resolution "P".

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

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 Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927,

Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

**"BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**"SECTION 1. AMENDMENT.)** That Section Six (6) of Chapter 116 of the Session Laws of North Dakota for 1927 is hereby amended and re-enacted to read as follows:

**"SECTION 6.** In providing for the purchase of seed grain and feed or either, the commissioners may, in lieu of issuing bonds, order warrants drawn upon the general fund of the county or issue certificates of indebtedness in the manner now provided by law to pay for the feed and seed grain purchased under the general provisions of this article; provided, that such warrants or certificates of indebtedness shall not be sold below par, and provided, further, that such warrants shall not be term warrants. Provided, further, that no bonds, warrants, or certificates of indebtedness, shall be issued, under this act, by or in any county which has not been reimbursed or repaid at least sixty per centum (60%) of the amount of any and all bonds, warrants, and certificates of indebtedness which have been heretofore issued by such county for the purpose of furnishing seed or feed of any kind to or for the inhabitants of such county, or to aid or assist such inhabitants in the obtaining or procuring of seed or feed. Provided, however, that the sixty percent (60%) limitation herein provided for shall not apply during the years of 1937 and 1938 in cases where counties are issuing warrants to obtain funds to match other funds to be obtained from agencies of the Federal Government for the purpose of purchasing seed and/or feed grains.

**SECTION 2. EMERGENCY.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Aklund moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Aklund moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

HOUSE CONCURRENT RESOLUTION "L," Providing for the amendment and re-enactment of Section 25 of Article 2 of the Constitution of North Dakota, as amended by Article 26 of Amendments to the Constitution of North Dakota, providing for the Legislative Department, the initiative and referendum and procedure thereunder.

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

On page 2 of printed resolution, line 18, strike out the number "15" and insert in lieu thereof number "20".

And when so amended recommend the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 143. A Bill for an Act to Eliminate the Necessity of Holding Elections to Fill Vacancies in Offices in Special School Districts, Independent School Districts and School Districts Organized Under Special Law, When no More Nominations Have Been Made Than There Are Vacan-



cies to Be Filled; and to Provide That in Such Cases the Nominees Shall Be Declared Elected, Without the Necessity of a Vote of the Electors Upon such Nominees; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways.

Have had the same under consideration and recommend that the same be re-referred to the Committee on Highways and Bridges.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

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

On Original Bill, page 2, line 2, strike out the word "Ninety" and insert in lieu thereof the word "thirty."

In Section 4 strike out all of the section down to and including the word "Morals," and capitalize the "T" on the word "This."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 134. A Bill for an Act Relating to the Power of County Commissioners to Allow Actual Expense to Members of County Welfare Boards, County Planning Boards, and Other Boards, Associations and Societies Engaged in Public Activities, While and When Engaged in Such Activities Within the State of North Dakota, Whether Within or Without the County of Their Residence, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Anfinson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 135. A Bill for an Act to Fix the Tax Levy Limitation for School Districts Which Have Heretofore Voted to Increase the Tax Levy Limit Therein; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Warehouse and Grain-grading made the following report:

Mr. Speaker: Your Committee on Warehouse and Grain-grading to whom was referred:

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Have had the same under consideration and recommend that the same do pass.

JOHN J. ADAM,  
Chairman.

Torgie Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### NINTH ORDER OF BUSINESS

House Memorial Resolution "H", introduced by Representative Hagen, was read.

Mr. Page moved that House Memorial Resolution "H" be adopted, which motion prevailed and the Resolution was adopted.

### HOUSE MEMORIAL RESOLUTION "H"

Introduced by Representative Hagen

WHEREAS, Our Creator in His infinite wisdom has seen fit to call to His own the wife of our colleague, Representative Anderson:

BE IT RESOLVED, That the House this day express to Representative Anderson and his family, in all sincerity, its sympathy and condolence; and

BE IT FURTHER RESOLVED, That a copy hereof be signed and presented to Representative Anderson, and that this Resolution be printed in the Journal.

### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck North Dakota,  
February 4, 1937.

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. President: I have the honor to transmit herewith the following:

### HOUSE CONCURRENT RESOLUTION "Q"

Which the House has adopted and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for

the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

Also,

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF HOUSE BILLS

Mr. Shure introduced:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

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

Mr. Godwin introduced:

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of Their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

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

Mr. Godwin introduced:

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

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

The Committee on Education introduced:

House Bill No. 168. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repeal All Acts in Conflict Herewith.

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

The Committee on Education (Recommended by the State School Officers' Association) introduced:

House Bill No. 169. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of This State and to Fix Minimum Salaries.

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

The Committee on Education (Recommended by the State School Officers' Association) introduced:

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

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

Mr. Rait (by request) introduced:

House Bill No. 171. A Bill for an Act Entitled, An Act to Amend Section 3696 of the Compiled Laws of 1913 Relating to the Removal of Ice and Snow From Sidewalks and the Assessment of the Expense to the Abutting Property.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

#### SECOND READING OF HOUSE BILLS

House Bill No. 41. 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, 101; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Jury	Rait
Beggs	Kapaun	Ritter
Benno	Knudson, Steele	Sand
Biberdorf	Knutson, LaMoure	Sandness
Bieloh	Krank	Saumur
Billigmeier	Kraus	Savre
Bjornson	LaBerge	Schauss
Blair	Langford	Schimke
Brown	Leum	Seibel
Brusseau	Levin	Semerad
Caddell	Livingston	Severson
Dalzell	McInnes	Shure, Cass
Day	McIntee	Shurr, Bottineau
Dittmer	Magill	Solberg
Dullea	Morland	Sticka
Fitch	Morris	Stray
Frazier	Myers	Symington
Freitag	Niewoehner	Thompson
Frey	Nelson, Cass	Thoreson
Frosaker	Nelson, Sargent	Traynor
Gilberg	Norheim	Trydahl
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.
Akland	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Gessner	Jones
Black	Godwin	Just
Burgum	Johnson	Treffry
Byrne		

So the bill passed and the title was agreed to.

Mr. Stray: I am still opposed to the salary increase of three per cent, that they have still got in this bill, but outside of that I vote "aye" for the bill, because I think we need it. But, I am opposed to the salary increase of three per cent on all of these appropriations. I vote "aye."

Mr. Biberdorf: I want to explain that I am still opposed to any increase in salary.

Mr. Akland: The reason I voted "no" was on account of the salary increase. As I stated the other day, I cannot go home to the people in my county and show them that I voted for any bill that had any salary increase. That is why I voted "no."

House Bill No. 42. 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, 80; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Bowman
Akland	Holthusen	Olson, McLean
Anfinson	Hultstrand	Olson, Sargent
Beasley	Huseby	Peterson, Bot'neau
Beaton	Kapaun	Peterson, Renville
Beggs	Knudson, Steele	Peterson, Richland
Benno	Knutson, LaMoure	Pewe
Biberdorf	Krank	Rait
Billigmeier	Kraus	Ritter
Bjornson	LaBerge	Sand
Brown	Langford	Sandness
Brusseau	Leum	Saumur
Caddell	Levin	Savre



Messrs.	Messrs.	Messrs.
Dalzell	Livingston	Schauss
Dittmer	McInnes	Schimke
Dullea	McIntee	Seibel
Fitch	Morland	Shure, Cass
Frazier	Morris	Shurr, Bottineau
Frey	Myers	Sticka
Frosaker	Niewoehner	Symington
Gilberg	Nelson, Cass	Thoreson
Goodlaxon	Nelson, Sargent	Urschel
Graham	Norheim	Wendland
Greiser	Obach	White
Hagen	O'Brien	Wolf
Haines	Odegard	Mr. Speaker
Hofstrand	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jury	Thompson
Blair	Magill	Traynor
Day	Oglesby	Trydahl
Freitag	Page	Tuff
Holm	Semerad	Tweten
Ireland	Severson	Twichell
Jensen	Solberg	Wick
Johnson	Stray	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Jones
Black	Gessner	Just
Burgum	Godwin	Treffry

So the bill passed and the title was agreed to.

Mr. Traynor: I am voting "no," because it appears to me that the appropriation is excessive. I didn't discover that until just now, but it seems to me that it is costing the state about 55c for each license tag, to maintain that department. The license tags actually cost somewhere in the neighborhood of 10½c per car, and about 8c for postage; the rest of this is to be used for maintaining the office. It seems to me that that is excessive.

I am voting against this bill for the further reason that the total appropriation for the biennium of 1935 to 1937 was only \$113,000.00, and now it is \$175,000.00.

Mr. Blair: I voted "no" on this Bill because I believe the amount asked for is excessive.

Mr. Niewoehner: I figured the Committee on Appropriations had given this Bill a thorough going over, and I figure that we should be allowed to let the Committee on Appropriations decide on some of these things, and therefore I do not change my vote.

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by

Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

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, 74; nays, 30; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Rait
Akland	Holmquist	Ritter
Anfinson	Hultstrand	Sand
Beasley	Huseby	Sandness
Beaton	Ireland	Savre
Beggs	Jensen	Schauss
Biberdorf	Knudson, Steele	Schimke
Bieloh	Knutson, LaMoure	Seibel
Billigmeier	Krank	Semerad
Bjornson	LaBerge	Severson
Brown	Langford	Shurr, Bottineau
Brusseau	Livingston	Solberg
Burgum	McIntee	Sticka
Byrne	Magill	Stray
Caddell	Morland	Thompson
Day	Myers	Thoreson
Dalzell	Niewoehner	Treffry
Frazier	Obach	Tuff
Freitag	Odegard	Tweten
Gilberg	Oglesby	Urschel
Goodlaxon	Olson, Adams	White
Greiser	Olson, McLean	Wick
Hagen	Peterson, Bot'neau	Williams
Haines	Peterson, Richland	Wolf
Hofstrand	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Kapaun	Page
Blair	Kraus	Peterson, Renville
Dittmer	Leum	Saumur
Dullea	Levin	Shure, Cass
Fitch	McInnes	Symington
Frey	Morris	Traynor
Frosaker	Nelson, Sargent	Trydahl
Holthusen	Norheim	Twichell
Johnson	O'Brien	Wendland
Jury	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Just
Black	Graham	Nelson, Cass
Gessner	Jones	Olson, Bowman

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to return herewith the following resolution:

## HOUSE CONCURRENT RESOLUTION "F"

Which the Senate has adopted unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

## SENATE CONCURRENT RESOLUTION "M"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## SECOND READING OF HOUSE BILLS

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

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, 72; nays, 33; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Peterson, Richland
Anfinson	Holm	Rait
Beasley	Holtusen	Ritter
Beaton	Hultstrand	Sandness
Beggs	Huseby	Saumur
Biberdorf	Ireland	Savre

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Schauss
Billigmeier	Johnson	Schimke
Bjornson	Knudson, Steele	Seibel
Brown	Kraus	Semerad
Brusseau	McIntee	Severson
Burgum	Magill	Shure, Cass
Byrne	Morland	Shurr, Bottineau
Caddell	Morris	Solberg
Day	Myers	Stray
Dittmer	Niewoehner	Thoreson
Fitch	Nelson, Cass	Traynor
Frazier	Norheim	Trydahl
Freitag	Obach	Tuff
Gilberg	Oglesby	Twetén
Goodlaxon	Olson, Bowman	Twichell
Greiser	Olson, McLean	Urschel
Hagen	Page	Williams
Haines	Peterson, Renville	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Knutson, LaMoure	Olson, Sargent
Benno	LaBerge	Peterson, Bot'neau
Blair	Langford	Pewe
Dalzell	Leum	Sticka
Dullea	Levin	Symington
Frey	Livingston	Thompson
Frosaker	McInnes	Treffry
Graham	Nelson, Sargent	Wendland
Holmquist	O'Brien	White
Jury	Odegard	Wick
Kapaun	Olson, Adams	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Krank
Black	Jones	Sand
Gessner	Just	

So the bill passed and the title was agreed to.

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Was read the second time.

Mr. Burgum asked unanimous consent to amend the bill as follows:

In line 6 of the title, after the word "state," strike out the "period," insert a "comma" in lieu thereof, and add the following: "and declaring an emergency," which unanimous consent was granted.

Mr. Burgum moved that the rules be suspended, and that House Bill No. 145 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, the roll was called and there were ayes, 71; nays, 34; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beaton	Johnson	Peterson, Richland
Benno	Jury	Pewe
Biberdorf	Kapaun	Rait
Billigmeier	Knudson, Steele	Sand
Bjornson	Kraus	Sandness
Brusseau	LaBerge	Savre
Burgum	Langford	Schauss
Byrne	Leum	Seibel
Caddell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dullea	McIntee	Solberg
Fitch	Magill	Sticka
Frazier	Morris	Thompson
Frey	Myers	Thoreson
Frosaker	Niewoehner	Treffry
Goodlaxon	Nelson, Cass	Tuff
Graham	Nelson, Sargent	Tweten
Hagen	Obach	Urschel
Haines	Odegard	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Schimke
Beasley	Jensen	Semerad
Beggs	Knutson, LaMoure	Severson
Bieloh	Levin	Stray
Blair	Morland	Symington
Brown	Norheim	Traynor
Dalzell	O'Brien	Trydahl
Dittmer	Oglesby	Twichell
Freitag	Olson, Bowman	Wick
Gilberg	Olson, McLean	Williams
Greiser	Ritter	Wolf
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Krank
Black	Jones	Saumur
Gessner	Just	

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

Mr. Niewoehner 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.

#### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION "O,"

Introduced by Representative Hagen and pertaining to federal laws and regulations covering the importation of livestock or unsterilized livestock products from foreign countries.

Was read the second time.

Mr. Wolf moved that House Concurrent Resolution "O" be adopted, which motion prevailed and the resolution was adopted.

#### HOUSE RESOLUTION "F,"

Introduced by Representatives Thoreson, Myers, Schimke and Hagen, pertaining to the Frazier-Lemke Bill and similar Acts.

Was read the second time.

Mr. Tweten moved that House Resolution "F" be adopted, which motion prevailed and House Resolution "F" was adopted.

#### HOUSE RESOLUTION "G,"

Introduced by Representatives Freitag, Frazier and Schimke, pertaining to an investigation of the State Mill and Elevator.

Was read the second time.

Mr. Schimke moved that House Resolution "G" be adopted, which motion prevailed and the Resolution was adopted.

Mr. Frazier moved that the Speaker appoint a committee of three members of the House to join with a like committee from the Senate to investigate the \$60,000 tax placed on the Agricultural College at Fargo for the sewage disposal plant, and the charge made against the College by the city of Fargo for water to wash their sewage system, also to investigate an apparent diversion of funds appropriated by the 1935 Legislature for certain things, as well as the bond deals for the dormitory, and the purported Fascist demonstration in the College for the purpose of intimidating legislators in their official duties.

Mr. Twichell moved an amendment to the effect that the Board of Administration be investigated.

Which amendment prevailed.

Mr. Twichell moved that the vote by which his amendment was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The question being on Mr. Frazier's motion as amended, the amended motion prevailed.

Mr. Traynor moved that the vote by which Mr. Frazier's motion prevailed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FOURTH ORDER OF BUSINESS

The Clerk read a communication from the Governor.

#### TWELFTH ORDER OF BUSINESS

#### SENATE CONCURRENT RESOLUTION "M"

Was read and referred to the Committee on State Affairs.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota.  
February 4, 1937.

Mr. President: I have the honor to transmit herewith the following:

#### HOUSE CONCURRENT RESOLUTION "O"

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

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, 61; nays, 28; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Akland	LaBerge	Pewe
Anfinson	Langford	Ritter
Beasley	Leum	Sand
Benno	Levin	Sandness
Biberdorf	Magill	Saumur
Billigmeier	Morland	Schauss
Bjornson	Morris	Schimke
Blair	Niewoehner	Severson
Caddell	Nelson, Sargent	Sticka
Day	Norheim	Symington
Dullea	Obach	Thompson
Fitch	O'Brien	Traynor
Frey	Odegard	Treffry
Frosaker	Olson, Adams	Trydahl
Gilberg	Olson, Bowman	Urschel
Goodlaxon	Olson, Sargent	Wendland
Graham	Page	White
Hagen	Peterson, Bot'neau	Williams
Hofstrand	Peterson, Renville	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Johnson	Semerad
Brown	Knudson, Steele	Shure, Cass
Brusseau	Knutson, LaMoure	Solberg
Dalzell	Kraus	Stray
Dittmer	McIntee	Thoreson
Freitag	Nelson, Cass	Tuff
Greiser	Oglesby	Tweten
Holmquist	Olson, McLean	Wick
Ireland	Savre	Wolf
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Krank
Beaton	Haines	Livingston
Beggs	Holm	McInnes
Black	Huseby	Myers
Burgum	Jones	Rait
Byrne	Jury	Seibel
Frazier	Just	Shurr, Bottineau
Gessner	Kapaun	Twichell

So the bill passed and the title was agreed to.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North



Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Also,

JOINT RESOLUTION "I"

Also,

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Also,

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

And the Speaker signed the same in the presence of the House.

#### SEVENTH ORDER OF BUSINESS

Mr. Myers moved that House Bill No. 116 be re-referred to the Committee on State Affairs.

Which motion prevailed.

Mr. Olson of Adams requested an extension on House Bill No. 87.

Which extension was granted.

Mr. Myers requested an extension on House Bill No. 8.

Which extension was granted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

L. A. Sayer, Cooperstown; Jimmy Moran, Minot; Mrs. Palmer Levin, Park River; John Chagaris, Grand Forks; Peter Zappas, Jamestown; C. J. Rund, Elgin; J. A. Anderson, Minot; H. H. Rustad, Wahpeton; Captain Adams, Fort Lincoln; Martin Anderson, Knute Boe, L. H. Haroldson, Clarence Jeglum, Adams; W. F. Joyce, Bowman; Fred Pfeifle, H. E. Solwick, Napoleon; Mrs. Pauline Robido, Bismarck; Vernon Patterson, Grand Forks; John O. Yoder, Wolford; Mr. Franger, Bismarck; Mrs. Franger, Bismarck; Mrs. Wm. Ireland, Ray, Wms. Co.; Mr. Kaufman, Glen Ullin.

Mr. Fitch moved that the House recess until 1:30 p. m., tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-FIRST DAY AFTER RECESS AND  
THIRTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

The House convened at 1:30 P. M., pursuant to recess, Speaker Dahl presiding.

GENERAL ORDERS

Mr. Freitag moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Freitag to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

"BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY  
OF THE STATE OF NORTH DAKOTA:

"SECTION 1. AMENDMENT.) That Section Six (6) of Chapter 116 of the Session Laws of North Dakota for 1927 is hereby amended and re-enacted to read as follows:

"SECTION 6. In providing for the purchase of seed grain and feed or either, the commissioners may, in lieu of issuing bonds, order warrants drawn upon the general fund of the county or issue certificates of indebtedness in the manner now provided by law to pay for the feed and seed grain purchased under the general provisions of this article; provided, that such warrants or certificates of indebtedness shall not be sold below par, and provided, further, that such warrants shall not be term warrants. Provided, further, that no bonds, warrants, or certificates of indebtedness, shall be issued, under this act, by or in any county which has not been reimbursed or repaid at least sixty per centum (60%) of the amount of any and all bonds, warrants, and certificates of indebtedness which have been heretofore issued by such county for the purpose of furnishing seed or feed of any kind to or for the inhabitants of such county, or to aid or assist such inhabitants in the obtaining or procuring of seed or feed. Provided, however, that the sixty percent (60%) limitation herein provided for shall not apply during the years of 1937 and 1938 in cases where counties are issuing warrants to obtain funds to match other funds to be obtained from agencies of the Federal Government for the purpose of purchasing seed and/or feed grains.

SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

Also,

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On Original Bill, page 2, line 2, strike out the word "Ninety" and insert in lieu thereof the word "thirty."

In Section 4, strike out all of the section down to and including the word "Morals," and capitalize the "T" on the word "This."

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION "L," Providing for the amendment and re-enactment of Section 25 of Article 2 of the Constitution of North Dakota, as amended by Article

26 of Amendments to the Constitution of North Dakota, providing for the Legislative Department, the initiative and referendum and procedure thereunder.

And recommend that action on the Resolution be deferred.

W. R. FREITAG,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that House Concurrent Resolution "L" be referred to the Judiciary Committee, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Morris moved that the absent members be excused, which motion prevailed.

Mr. Burgum moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### THIRTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Opie S. Rindahl of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Black, Byrne and Jones.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirtieth day after recess and thirty-first day and recommend that the same be corrected as follows:

On page 465, before General Orders, insert the following:

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House reconsider its action on Senate Concurrent Resolution "J", which motion prevailed.

Mr. Fitch moved that Senate Concurrent Resolution "J" be

re-referred to the committee, which motion prevailed and Senate Concurrent Resolution "J" was re-referred to the Committee on Ways and Means.

Insert the Calendar on the last page of the Journal.

On page 484, after line 9, insert three messages to the Senate, as follows:

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. President: I have the honor to transmit herewith the following:

#### HOUSE CONCURRENT RESOLUTION "Q".

Which the House has adopted and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 4, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and

Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

Also,

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Which the House has passed and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Olson, of Sargent, moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Communication from Dunn County Farmers Union.

Mr. Godwin moved that the message received from the Governor yesterday be printed in the Journal.

Which motion prevailed.

#### MESSAGE FROM THE GOVERNOR OFFICE OF THE GOVERNOR

Bismarck

February 4, 1937.

To the Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Gentlemen:

After a conference at Washington I have concluded that

my recommendation to the legislature to reduce the Motor Vehicle license fee to \$3.00, plus a personal property tax, all of which will have gone to the State Highway Department, should be withdrawn.

I am therefore recommending that it is to the best interest of the State to leave the amount of these license fees as they were the last two years.

Yours very truly,

WILLIAM LANGER,  
Governor.

WL:JEB

Mr. Semerad moved that the Resolution from the Dunn County Farmers Union be printed in the Journal.

Which motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Also,

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 77. 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.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 3. A Bill for an Act Prohibiting the Manufacture, Owning, Operating, Storing, Possessing, Selling, Renting, Leasing, Lending, Transporting, or in any Manner Handling or Exposing for Sale or Lease, any Slot Machine, Ball Machine, or Other Device; Defining the Duties of State's Attorneys, Peace Officers; Providing Penalties for the Violation of the Provisions of This Act; Continuing in Force Present Statutory Regulations Prohibiting or Regulating Slot Machines, and Declaring an Emergency.

Also,

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

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

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of



the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 88. A Bill for an Act Making Unlawful Certain Discriminations in Price, in Services or Facilities Furnished, or in Payment for Services or Facilities to Be Rendered, in Connection with the Sale of Commodities in the Course of Trade or Commerce, and Providing Certain Remedies for Violation.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 97. A Bill for an Act to Provide for the Collection of Delinquent Taxes Levied and Assessed Upon Real and/or Personal Property from the Rents, Issues and

Income Thereof by Means of Receivership. Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORT OF HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

HOUSE RESOLUTION "F," Frazier-Lemke refinance plan.

Also,

HOUSE CONCURRENT RESOLUTION "P," Cancellation of Enrolling and Engrossing Contract.

Also,

HOUSE MEMORIAL RESOLUTION "H"

Also,

HOUSE CONCURRENT RESOLUTION "F," Townsend recovery plan.

Also,

HOUSE RESOLUTION "G," Investigation of processing tax at the State Mill and Elevator.

"And find the same correctly enrolled.

CARL H. DITTMER,  
"Chairman.

"Mr. Dittmer moved that the report be adopted, which motion prevailed.

"Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills,"

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Also,

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandonment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Was delivered to the Governor for his approval at the hour of 4:55 o'clock P. M., on Feb. 4th, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

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

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the Compiled Laws of 1913 Relating to Prohibiting Smoking in Specified Places.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

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

#### SENATE JOINT RESOLUTION "I"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

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

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

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

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

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

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

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

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## REPORTS OF STANDING COMMITTEES

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of Delinquent Personal Property Taxes and Prescribing the Duties of the County Treasurer and Sheriff in Connection With the Collection Thereof.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Savre moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 127. A Bill for an Act Relating to Payment and Collection of Wages for Labor, Excepting Agricultural Labor; Requiring Semi-monthly Payments; Requiring Written Notice of Terms of Contract of Employment of Posting of Notice; Providing for Separation of Employees from Payroll; Imposing Certain Conditions in the Event of Industrial Disputes; Requiring the Prompt Payment of Wages Conceded to be Due; Prohibiting Contracts waiving the Terms of this Act; Making Principal Contractor Liable for Payroll of Sub-Contractor; Placing Responsibility for Enforcement of this Act; Granting the Commissioner of Agriculture and Labor and His Deputy Certain Powers and

Imposing Certain Duties; Requiring States Attorneys to Prosecute Both Civil and Criminal Actions; Generally Providing for the Enforcement of this Act; Requiring Employers to Keep Records; Fixing Penalties for Violation; Permitting Assignment of Claims for Wages to and Imposing Upon Commissioner of Agriculture and Labor and his Deputy the Duty to Prosecute Actions; Fixing Costs to be Paid, Charged and Collected.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 127 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Minority and Majority reports were submitted by the Judiciary Committee on House Bill No. 148, and were read by the clerk.

Mr. Godwin moved that House Bill No. 148 be referred back to the Judiciary Committee for the purpose of correcting the committee report, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 152. A Bill for an Act Repealing Section 2173 of the Compiled Laws of North Dakota, 1913, Dealing With Contract Between County Commissioners and Sheriff for Collection of Delinquent Personal Property Taxes on Percentage Basis.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted.

Mr. Twichell moved the previous question, which motion prevailed.

The question being on Mr. Caddell's motion to adopt the report, the motion prevailed and House Bill No. 152 was indefinitely postponed.

The Committee on Appropriations made the following report:



Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 154. A Bill for an Act to appropriate the Sum of One Hundred and Thirty Thousand Dollars (\$130,000.00) from any Moneys in the State Highway Department Fund for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River Between Sioux County and Emmons County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919, (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913), as Amended and Re-enacted by Chapter 161, Laws of 1927, at or Near the Point Commonly Known and Referred to as the "Cannonball Sounding" Heretofore Made; and Directing the State Highway Commission to Construct Such Bridge and Do All Necessary Preliminary Work; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be re-referred to the Committee on Highways and Bridges.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

(1) In line 9, Section 2, of the original bill, after the word "be" strike out the words "publicly read" and insert in lieu thereof the word "posted".

(2) In line 11, Section 2, after the word "shall" strike out the words "also post such report in the polling place" and insert in lieu thereof "read or cause to be read such report immediately preceding opening of the polls".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same, as amended by the Judiciary and Standing Committees of the Senate, do pass.

EDW. SAVRE,  
Chairman.

Mr. Knudson moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Mr. Frazier introduced:

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or Other Lien, Without Process of Court.

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

Mr. Byrne introduced.

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

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

Mr. Seibel introduced:

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1178 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Teachers, How Employed, and their Salaries.

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

Mr. Graham introduced:

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Provided for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

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

Messrs. Morland and Sand introduced:

House Bill No. 176. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, and Providing for the Creation of a Permanent Fund; Prescribing How Obtainable, Its Limits, Ownership, Uses, to Whom Obtainable and Other Procedure Thereunder, and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Mr. Hagen introduced:

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

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

Mr. Hagen introduced:

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

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

Messrs. Traynor and Stray introduced:

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

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

Messrs. Traynor and Stray introduced:

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

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

#### SEVENTH ORDER OF BUSINESS

Mr. Brusseau moved that the courtesies of the floor be extended to former Representative Hill, of Cavalier County.

Which motion prevailed.

Mr. Levin moved that the courtesies of the floor be extended to former Representative Boe, of Walsh County.

Which motion prevailed.

Mr. Myers moved that House Bill No. 8 be re-referred to the State Affairs Committee.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

HOUSE MEMORIAL RESOLUTION "H"

Also,

HOUSE CONCURRENT RESOLUTION "F"

Also,

HOUSE RESOLUTION "G"

Also,

HOUSE CONCURRENT RESOLUTION "P"

Also,

HOUSE RESOLUTION "F"

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 5, 1937.

Mr. President: I have the honor to transmit herewith the following Resolution:

HOUSE CONCURRENT RESOLUTION "F"

Also,

## HOUSE CONCURRENT RESOLUTION "P"

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SECOND READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses 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, 100; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Anfinson	Jensen	Peterson, Renville
Beasley	Johnson	Peterson, Richland
Beaton	Jury	Pewe
Beggs	Just	Rait
Benno	Kapaun	Ritter
Biberdorf	Knudson, Steele	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Schimke
Brusseau	Langford	Semerad
Burgum	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Solberg
Fitch	McIntee	Sticka
Frazier	Morland	Stray
Freitag	Morris	Symington
Frosaker	Myers	Thompson
Gessner	Niewoehner	Thoreson
Gilberg	Nelson, Cass	Traynor
Godwin	Nelson, Sargent	Treffry
Goodlaxon	Norheim	Trydahl
Graham	Obach	Tuff
Greiser	O'Brien	Tweten
Hagen	Odegard	Twichell
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, McLean	Wick
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.

Akland

Absent and not voting:

Messrs.

Anderson

Bjornson

Black

Byrne

Messrs.

Caddell

Dullea

Frey

Jones

Messrs.

Magill

Saumur

Seibel

Williams

So the bill passed and the title was agreed to.

### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the report submitted by Mr. Adam relating to the Hospital for the Insane at Jamestown be read and printed in the Journal.

Which motion prevailed.

Mr. Twichell moved that the vote by which Mr. Godwin's motion prevailed be reconsidered.

Which motion prevailed.

Mr. Twichell offered a substitute motion that the report be not printed.

Which motion lost.

The report was therefore ordered printed in the Journal.

### REPORT OF REP. ADAM RELATING TO THE HOSPITAL FOR THE INSANE IN JAMESTOWN

Inmates.....	175	home on visit or parole
Inmates.....	1041	men
Inmates.....	774	women

Total.....1990 or about 2000

They come in at a rate of 40 per month.

Sending home 60% annually from the number coming in; 25% are there for life. They are fairly well but have no home and nobody takes them out, and they can take care of them there just as cheap as any other place in the State. The death rate is 10%. It appears that during the hot weather in the summer, and the cold weather in winter, is the time when most deaths occur.

The administration asked us to appropriate not less than 85c per day per person; that will keep them.

The Government inspection rated the institution 100% or one of the best in the United States, of which North Dakota can be proud.

They ask for a new boiler in the power plant and a bigger size, than they have. They have two boilers, 24 years old,

and are condemned by the inspector. Take out two small ones and put in one big one.

And the laundry room is in the basement and is too small. They want that lifted up on top of the ground, on account of being too hot in the summer time. Have to work short hours on account of that. Some of the washers are wore through and so they need some new machines.

I recommend this report be printed in the Journal.

#### SECOND READING OF HOUSE BILLS

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

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, 53; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Peterson, Bot'neau
Akland	Holm	Peterson, Renville
Anfinson	Huseby	Pewe
Beaton	Jensen	Rait
Benno	Just	Ritter
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Schimke
Billigmeier	Livingston	Semerad
Brown	McIntee	Stray
Brusseau	Magill	Thoreson
Burgum	Morland	Treffry
Day	Myers	Trydahl
Frazier	Nelson, Sargent	Urschel
Freitag	Olson, Bowman	Wendland
Frey	Olson, McLean	White
Graham	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Saumur
Blair	Krank	Savre
Caddell	Kraus	Schauss
Dalzell	LaBerge	Severson
Dittmer	Langford	Shure, Cass
Fitch	Leum	Shurr, Bottineau
Frosaker	Levin	Solberg

Messrs.	Messrs.	Messrs.
Gessner	McInnes	Sticka
Gilberg	Morris	Symington
Godwin	Niewoehner	Thompson
Goodlaxon	Nelson, Cass	Traynor
Hagen	Norheim	Tuff
Haines	Obach	Tweten
Holmquist	O'Brien	Twichell
Holthusen	Odegard	Wick
Ireland	Oglesby	Williams
Johnson	Olson, Adams	Wolf
Jury	Peterson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Jones
Beggs	Dullea	Page
Bjornson	Hofstrand	Sand
Black	Hultstrand	Seibel

So the bill was lost.

Mr. Kapaun moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

EXPLANATIONS OF VOTES

Mr. Caddell: I don't believe that we should make it any harder for these counties that are hard up to join up with some other county by passing this law. For that reason I vote "no."

Mr. Hagen: I vote "no" because I believe North Dakota stands a good chance of losing a very nice part of her territory if this law carries.

Mr. Magill: I believe in leaving things as they are without a very good reason for a change. For that reason I vote "aye."

Mr. Frazier: I vote "aye" on this bill because I don't believe that it is right for any of the larger counties to swallow up the smaller counties without the full consent of the smaller counties. I am fighting for the little fellow, not the big guy.

The Speaker called Mr. Wolf to the chair.

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, 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, 58; nays, 47; absent and not voting 10.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Johnson	Olson, McLean
Beaton	Jury	Peterson, Bot'neau
Beggs	Just	Peterson, Renville
Billigmeier	Knudson, Steele	Ritter
Bjornson	Kraus	Sand
Burgum	LaBerge	Sandness
Caddell	Langford	Saumur
Dalzell	Leum	Schauss
Day	Livingston	Schimke
Fitch	McInnes	Semerad
Frazier	McIntee	Shure, Cass
Frey	Magill	Shurr, Bottineau
Frosaker	Morland	Sticka
Gilberg	Morris	Stray
Godwin	Myers	Thompson
Goodlaxon	Nelson, Cass	Thoreson
Greiser	Obach	White
Holm	Olson, Adams	Wick
Holmquist	Olson, Bowman	Wolf
Huseby		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Richland
Anfinson	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Kapaun	Severson
Bieloh	Knutson, LaMoure	Solberg
Blair	Krank	Symington
Brown	Levin	Traynor
Brusseau	Niewoehner	Treffry
Dittmer	Nelson, Sargent	Trydahl
Freitag	Norheim	Tuff
Gessner	O'Brien	Tweten
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Sargent	Williams

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Graham	Seibel
Black	Jones	Twichell
Byrne	Savre	Mr. Speaker
Dullea		

So the bill was passed.

Mr. Freitag moved that the vote by which House Bill No.

98 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Frazier: I vote "aye" on this because of the fact that there are a goodly number of the members whom I cannot hear, and especially when there is a lot of rumbling conversation going on in certain other parts of the House. I vote "aye" on this because I do not feel that it would be advisable to continue to pay out five or six hundred dollars per session for a temporary system, when we can enter into a permanent arrangement for twenty-five hundred dollars.

Mr. Holmquist: I am in favor of this because I know it would be a well paid investment. Then we could hear what is said in the House. As it is now, we cannot hear what is said on the other side, and they cannot hear what is said on this side. Therefore I vote "aye."

Mr. Traynor: I vote "no" because I think we ought to be consistent. Because of the severe financial conditions in this state, we are asking every institution and department of the state to economize, even to the point of their suffering and inconvenience. That being the case I think we ought to set an example and deny ourselves.

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

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, 64; nays, 38; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, McLean
Akland	Haines	Pewe
Anfinson	Hofstrand	Rait
Beggs	Holthusen	Ritter
Benno	Hultstrand	Sand
Biberdorf	Huseby	Schauss
Billigmeier	Just	Schimke
Bjornson	Knutson, LaMoure	Semerad
Brusseau	Krank	Shurr, Bottineau
Caddell	LaBerge	Sticka
Day	Levin	Stray
Dittmer	Livingston	Symington
Fitch	McIntee	Thompson
Frazier	Magill	Thoreson
Freitag	Morris	Treffry
Frey	Myers	Tweten
Frosaker	Niewoehner	Urschel
Gessner	Nelson, Cass	White

Messrs.	Messrs.	Messrs.
Gilberg	Obach	Wick
Godwin	O'Brien	Wolf
Goodlaxon	Olson, Adams	Mr. Speaker
Greiser		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kraus	Sandness
Bieloh	Langford	Saumur
Blair	Leum	Savre
Brown	Morland	Severson
Dalzell	Nelson, Sargent	Shure, Cass
Graham	Norheim	Solberg
Holm	Odegard	Traynor
Holmquist	Oglesby	Trydahl
Ireland	Olson, Bowman	Tuff
Johnson	Olson, Sargent	Twichell
Jury	Page	Wendland
Kapaun	Peterson, Renville	Williams
Knudson, Steele	Peterson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	McInnes
Beaton	Dullea	Peterson, Bot'neau
Black	Jensen	Seibel
Burgum	Jones	

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

Mr. Williams: There are too many of these deficiency bills coming in. I don't believe in giving them one dime, not one dime. So long as we continue giving them these appropriations, they are going to come begging for more. Therefore I vote "no" on this bill.

Mr. Shure moved that the vote by which House Bill No. 60 was declared passed be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 60 be placed on the calendar for tomorrow, which motion prevailed.

The Speaker resumed the chair.

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

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, 88; nays, 10; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Peterson, Renville
Akland	Just	Peterson, Richland
Anfinson	Knudson, Steele	Pewe
Beggs	Krank	Rait
Biberdorf	Kraus	Ritter
Billigmeier	LaBerge	Sand
Bjornson	Leum	Sandness
Brown	Levin	Schauss
Brusseau	Livingston	Schimke
Burgum	McInnes	Semerad
Caddell	McIntee	Shure, Cass
Dalzell	Magill	Shurr, Bottineau
Day	Morland	Solberg
Dittmer	Morris	Sticka
Frazier	Myers	Symington
Freitag	Niewoehner	Thompson
Frey	Nelson, Cass	Thoreson
Frosaker	Nelson, Sargent	Traynor
Gessner	Norheim	Treffry
Godwin	Obach	Trydahl
Graham	O'Brien	Tweten
Greiser	Odegard	Twichell
Hagen	Oglesby	Urschel
Haines	Olson, Adams	Wendland
Hofstrand	Olson, Bowman	White
Holthusen	Olson, McLean	Wick
Hultstrand	Olson, Sargent	Williams
Huseby	Page	Wolf
Ireland	Peterson, Bot'neau	Mr. Speaker
Jensen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holmquist	Langford
Bieloh	Jury	Savre
Blair	Knutson, LaMoure	Tuff
Gilberg		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Kapaun
Beaton	Fitch	Saumur
Benno	Goodlaxon	Seibel
Black	Holm	Severson
Byrne	Jones	Stray

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

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost

of Printing the 1933-1934 Public Documents, 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, 96; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Anfinson	Johnson	Peterson, Richland
Beaton	Jury	Pewe
Beggs	Just	Rait
Billigmeier	Kapaun	Ritter
Bjornson	Knudson, Steele	Sand
Blair	Knutson, LaMoure	Sandness
Brown	Krank	Saumur
Brusseau	Kraus	Savre
Caddell	LaBerge	Schauss
Dalzell	Langford	Schimke
Day	Leum	Semerad
Dittmer	Livingston	Shure, Cass
Frazier	McInnes	Shurr, Bottineau
Freitag	McIntee	Solberg
Frey	Magill	Sticka
Frosaker	Morland	Symington
Gessner	Morris	Thoreson
Gilberg	Myers	Traynor
Godwin	Niewoehner	Treffry
Goodlaxon	Nelson, Cass	Trydahl
Graham	Nelson, Sargent	Tuff
Greiser	Norheim	Tweten
Hagen	Obach	Twichell
Haines	O'Brien	Urschel
Hofstrand	Odegard	Wendland
Holm	Oglesby	White
Holmquist	Olson, Adams	Wick
Holthusen	Olson, Bowman	Williams
Hultstrand	Olson, Sargent	Wolf
Huseby	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Biberdorf	Bieloh

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Olson, McLean
Beasley	Dullea	Seibel
Benno	Fitch	Severson
Black	Jones	Stray
Burgum	Levin	Thompson

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

Mr. Frazier: I vote "aye" for this bill because I see the necessity of keeping this up, but I criticize the last legislature for not making an appropriation, and adding this to our obligations.

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

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, 80; nays, 11; absent and not voting 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anfinson	Just	Rait
Beaton	Krank	Ritter
Biberdorf	Kraus	Sand
Billigmeier	LaBerge	Sandness
Bjornson	Leum	Savre
Brown	Livingston	Schauss
Brusseau	McInnes	Severson
Caddell	McIntee	Shure, Cass
Dalzell	Magill	Shurr, Bottineau
Day	Morland	Solberg
Dittmer	Morris	Sticka
Frey	Myers	Symington
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Cass	Thoreson
Gilberg	Nelson, Sargent	Traynor
Godwin	Norheim	Treffry
Goodlaxon	Obach	Trydahl
Graham	O'Brien	Tweten
Greiser	Odegard	Twichell
Hagen	Oglesby	Urschel
Haines	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, Sargent	Wick
Holthusen	Page	Mr. Speaker
Hofstrand	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Knudson, Steele	Tuff
Jensen	Knutson, LaMoure	Williams
Johnson	Langford	Wolf
Jury	Semerad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Levin
Beasley	Fitch	Olson, McLean
Beggs	Frazier	Peterson, Renville
Benno	Freitag	Saumur
Black	Hultstrand	Schimke
Blair	Jones	Seibel
Burgum	Kapaun	Stray
Byrne		

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

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: 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, 95; nays, 0; absent and not voting 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Olson, McLean
Akland	Ireland	Olson, Sargent
Anfinson	Jensen	Page
Beasley	Johnson	Peterson, Bot'neau
Beaton	Jury	Pewe
Biberdorf	Just	Rait
Bieloh	Kapaun	Ritter
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Savre
Brown	Krank	Schauss
Brusseau	Kraus	Semerad
Caddell	LaBerge	Severson
Dalzell	Langford	Shure, Cass
Day	Leum	Shurr, Bottineau
Dittmer	Levin	Solberg
Fitch	Livingston	Sticka
Frazier	McInnes	Symington
Freitag	McIntee	Thompson
Frey	Magill	Thoreson
Gessner	Morland	Treffry
Gilberg	Morris	Trydahl
Godwin	Myers	Tuff
Goodlaxon	Niewoehner	Tweten
Graham	Nelson, Cass	Twichell
Greiser	Nelson, Sargent	Urschel
Hagen	Norheim	Wendland
Haines	Obach	White
Hofstrand	O'Brien	Wick

Messrs.	Messrs.	Messrs.
Holm	Odegard	Williams
Holmquist	Oglesby	Wolf
Holthusen	Olson, Adams	Mr. Speaker
Hultstrand	Olson, Bowman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Sand
Beggs	Dullea	Saumur
Benno	Frosaker	Schimke
Black	Jones	Seibel
Blair	Peterson, Renville	Stray
Burgum	Peterson, Richland	Traynor

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

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

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, 96; nays, 0; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Olson, Sargent
Akland	Ireland	Page
Anfinson	Jensen	Peterson, Bot'neau
Beasley	Johnson	Peterson, Richland
Beaton	Jury	Pewe
Biberdorf	Just	Rait
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Brown	Krank	Semerad
Brusseau	Kraus	Severson
Burgum	LaBerge	Shure, Cass
Caddell	Langford	Shurr, Bottineau
Dalzell	Leum	Solberg
Day	Levin	Sticka
Dittmer	Livingston	Stray
Fitch	McInnes	Symington
Frazier	McIntee	Thompson
Freitag	Magill	Thoreson
Frey	Morland	Traynor
Gessner	Myers	Treffry
Gilberg	Niewoehner	Trydahl
Goodlaxon	Nelson, Cass	Tuff
Graham	Nelson, Sargent	Tweten



Messrs.	Messrs.	Messrs.
Greiser	Norheim	Twichell
Hagen	Obach	Urschel
Haines	O'Brien	Wendland
Hofstrand	Odegard	White
Holm	Oglesby	Wick
Holmquist	Olson, Adams	Williams
Holthusen	Olson, Bowman	Wolf
Hultstrand	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Ritter
Beggs	Frosaker	Sand
Benno	Godwin	Saumur
Black	Jones	Schimke
Blair	Morris	Seibel
Byrne	Peterson, Renville	

So the bill passed and the title was agreed to.

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation 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, as amended, the roll was called and there were ayes, 72; nays, 25; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Sandness
Biberdorf	Jensen	Saumur
Bieloh	Johnson	Savre
Bjornson	Jury	Severson
Blair	Kapaun	Shure, Cass
Brown	Knudson, Steele	Shurr, Bottineau
Burgum	Knutson, LaMoure	Solberg
Caddell	Kraus	Sticka
Day	LaBerge	Stray
Dittmer	Langford	Symington
Fitch	Livingston	Traynor
Frey	McIntee	Trydahl
Gessner	Magill	Tweten
Gilberg	Morland	Urschel
Goodlaxon	Niewoehner	Wendland

Messrs.	Messrs.	Messrs.
Graham	Norheim	White
Greiser	Obach	Wick
Hagen	O'Brien	Williams
Hofstrand	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Billigmeier	Morris	Rait
Brusseau	Myers	Ritter
Dalzell	Nelson, Sargent	Schauss
Frazier	Odegard	Semerad
Freitag	Oglesby	Thompson
Haines	Olson, McLean	Thoreson
Leum	Olson, Sargent	Treffry
Levin	Pewe	Tuff
McInnes		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frosaker	Nelson, Cass
Beggs	Godwin	Sand
Benno	Jones	Schimke
Black	Just	Seibel
Byrne	Krank	Twichell
Dullea		

So the bill passed and the title was agreed to.

House Bill No. 143. A Bill for an Act to Eliminate the Necessity of Holding Elections to Fill Vacancies in Offices in Special School Districts, Independent School Districts and School Districts Organized Under Special Law, When no More Nominations Have Been Made Than There Are Vacancies to Be Filled; and to Provide That in Such Cases the Nominees Shall Be Declared Elected, Without the Necessity of a Vote of the Electors Upon such Nominees; and Declaring an Emergency.

Was read the second time.

Mr. Wolf moved that House Bill No. 143 be indefinitely postponed, which motion prevailed, and House Bill No. 143 was indefinitely postponed.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Was read the second time.

Mr. Traynor moved that House Bill No. 130 be re-referred to the Judiciary Committee, which motion prevailed.

House Bill No. 134. A Bill for an Act Relating to the Power of County Commissioners to Allow Actual Expense to Members of County Welfare Boards, County Planning

Boards, and Other Boards, Associations and Societies Engaged in Public Activities, While and When Engaged in Such Activities Within the State of North Dakota, Whether Within or Without the County of Their Residence, and Declaring an Emergency.

Was read the second time.

Mr. Dalzell moved that further consideration of House Bill No. 134 be indefinitely postponed, which motion prevailed.

Mr. Traynor moved that the vote by which House Bill No. 134 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of 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, 69; nays, 24; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Akland	Holthusen	Peterson, Richland
Anfinson	Huseby	Pewe
Beaton	Ireland	Rait
Bieloh	Jensen	Sandness
Billigmeier	Johnson	Saumur
Bjornson	Just	Schauss
Blair	Knudson, Steele	Semerad
Brown	Knutson, LaMoure	Shure, Cass
Brusseau	Krank	Solberg
Burgum	Langford	Sticka
Day	Leum	Stray
Frazier	Livingston	Symington
Freitag	Magill	Thoreson
Frey	McInnes	Traynor
Gessner	McIntee	Treffry
Gilberg	Morland	Trydahl
Godwin	Myers	Tweten
Greiser	Obach	Urschel
Hagen	O'Brien	Wendland

Messrs.	Messrs.	Messrs.
Haines	Odegard	Wick
Hofstrand	Olson, Bowman	Wolf
Holm	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Page
Biberdorf	Levin	Peterson, Bot'neau
Caddell	Morris	Sand
Dalzell	Niewoehner	Severson
Dittmer	Nelson, Cass	Shurr, Bottineau
Goodlaxon	Nelson, Sargent	Tuff
Graham	Oglesby	Twichell
Jury	Olson, Sargent	White

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frosaker	Ritter
Beggs	Hultstrand	Savre
Benno	Jones	Schimke
Black	Kraus	Seibel
Byrne	LaBerge	Thompson
Dullea	Norheim	Williams
Fitch	Olson, Adams	

So the bill passed and the title was agreed to.

Mr. Blair moved that the vote by which House Bill No. 39 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Oliver Rosenber, New Rockford; Ruth Olson, Wilton; Mrs. P. Krank, Dickinson; E. A. Hill, Wales; M. K. Jacobson, La-Moure; M. L. Martin, Valley City; Mary Lois Burgum, Jamestown, Mrs. L. R. Burgum, Jamestown; Clarence Tweek, Reeder; Arthur Brend, Mayville; O. M. Smith, Galesberg; Earl B. Mattson, Inkster; Edwin L. Bagge, Cummings; Nels O. Lendras, Mayville; E. O. Ellingson, Hillsboro; Martin Amb, Portland; Albert Sorum, Ernest Johnson, Gerhard D. Olson, Hillsboro; Mrs. J. H. Langford, Cooperstown; R. H. Lynch, Crosby; Ernum Hanson, Ray; Rev. Geo. O. Parish, Valley City; Mrs. O. R. LaBerge, Grafton, L. E. Dickensen, Cando; Bait D. Carter, Mandan; Mrs. Opie Rindahl, Bismarck; Dr. A. J. Bergsoher, Minneapolis; G. J. Manning, Dickinson; A. E. Swenson, Jamestown, John F. Olson, Jamestown; Edwin Stoda, Mayville; Oscar Trusest, Mayville; Odin Stray, Stanley; Harry Berg, Stanley; Lee Coman, Mandan; Martin Delos, McClusky; Alvin E. Jacobson, Bismarck; A. E. Holmes, Mercer; A. Williams, Cando.

Mr. Frazier Moved that the House recess to 1:30 p. m., tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-SECOND DAY AFTER RECESS AND  
THIRTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

The House convened at 1:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. O'Brien moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders; which motion prevailed.

The Speaker called Mr. O'Brien to the chair, and the House  
resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following  
report:

Mr. Speaker: The Committee of the Whole have had  
under consideration

Senate Bill No. 48. A Bill for an Act to Amend and Re-  
enact Section 1164 of the Compiled Laws of the State of  
North Dakota for 1913, Pertaining to the Duties of the Clerks  
of Common School Districts, and Declaring an Emergency,  
and Repealing All Acts and Parts of Acts in Conflict Here-  
with.

And recommend the adoption of the Standing Committees  
amendments as follows:

(1) In line 9, Section 2, of the original bill, after the  
word "be" strike out the words "publicly read" and insert in  
lieu thereof the word "posted."

(2) In line 11, Section 2, after the word "shall" strike out  
the words "also post such report in the polling place" and  
insert in lieu thereof "read or cause to be read such report  
immediately preceding opening of the polls."

And the further amendment:

At the end of the title, strike out the period, insert a comma in lieu thereof, and add the following "and declaring an emergency."

And when so amended recommend same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Olson of Adams moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the absent members be excused, which motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

And the Speaker signed the same in the presence of the House.

Mr. Brusseau moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

## THIRTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Herbert Smith, Major, of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Anfinson, Black, Byrne, Dullea, Greiser, Jones, Ritter and Seibel.

So a quorum was declared present.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 6, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 6, 1937.

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

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 6, 1937.

Mr. Speaker: I have the honor to return herewith the following resolutions:

HOUSE CONCURRENT RESOLUTION "P".

Also,

HOUSE CONCURRENT RESOLUTION "F".

Which the President has signed.

Very respectfully,  
THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 6, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding an Existing Indebtedness of Municipalities, and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,  
THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 6, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 100. A Bill for an Act to Amend Section 3696a of the Supplement to the Compiled Laws of 1913, Relating to Liability of Municipalities for Injuries Caused by Accumulation of Frost, Snow, Ice or Sleet on Public Sidewalks, Crosswalks, Streets, Alleys or Other Public Ways and Exempting Municipalities from Liability for Injuries to Person or Property Occurring in Whole or in Part Upon State or National Highways Within Such Municipalities.

Also,



Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

Also,

Senate Bill No. 78. 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.

Also,

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-first day after recess and thirty-second day and recommend that the same be corrected as follows:

On page 525, line 47, change House Bill 43 to read House Bill 143.

Strike out the Message to the Senate, lines 23 to 44 inclusive on page 506 and insert the same on page 512, immediately preceding Second Reading of House Bills.

Change the last bill on the calendar to read Senate Bill No. 83, instead of House Bill No. 83.

On page 501, after line 48, insert the following:

“And find the same correctly enrolled.

“CARL H. DITTMER,  
“Chairman.

“Mr. Dittmer moved that the report be adopted, which motion prevailed.

"Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills,"

In the House Journal for February 2nd, page 401, insert just before the Message from the Senate the complete report of House Bill No. 14 as having been enrolled. (Copy sent to the printer February 5).

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fitch moved that on page 516 of the Journal, line 6, after the word "aye," change the figure "56" to read "58"; also that Mr. Holmquist be recorded as having voted "aye" on the bill; also to strike out the language "so the bill was lost", and insert in lieu thereof the language "so the bill passed".

Which motion prevailed.

Mr. Kapaun moved that the vote by which House Bill No. 98 was lost be reconsidered, which motion prevailed.

Mr. Kapaun moved that the rules be suspended, and that House Bill No. 98 be put at the head of the calendar, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the vote by which House Bill No. 83 was lost be reconsidered, which motion prevailed.

Mr. Sand moved that House Bill No. 83 be placed on the calendar for the next legislative day, which motion prevailed.

Mr. Trydahl moved that House Bill No. 144 be held in committee until some action is taken on Senate Bill No. 149, which motion prevailed.

#### PETITIONS AND COMMUNICATIONS

Petition signed by Oscar Anderson of Velva and forty-seven others.

Resolution from the County Commissioners of Bowman County.

Resolution from the County Commissioners of Slope County.

Resolution from the County Commissioners of McLean County.

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

Also,

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

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

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

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

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

ation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 41. 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.

Also,

House Bill No. 42. 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.

Also,

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTH ORDER OF BUSINESS

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

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

In the printed bill, in Section 1, line 3 after the figures "274" strike out the word "section" and insert in lieu thereof the word "Session."

In Section 1, line 3 after the figures "1927" strike out the words "be and the same" and insert the following words in lieu thereof "and as further amended by Chapter 159 of the Session Laws of 1935."

In section 1, line 10 after the word "than" strike out the word "five" and insert in lieu thereof the word "six."

In Section 1, line 13 after the word "pay" and before the word "on" insert the word "interest."

In Section 2, line 2, after the word "of," strike out the word "five" and insert in lieu thereof the word "six."

And when so amended recommend the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Savre moved that the report be adopted.

Mr. Traynor moved that House Bill No. 71 be withdrawn from General Orders for the purpose of acting on a divided committee report. A division was called for, and the motion prevailed.

A Minority of the Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

Have had the same under consideration and a minority of said committee recommend that the same be indefinitely postponed.

FRANKLIN PAGE  
G. WENDLAND  
EDWIN TRAYNOR  
H. W. McINNES  
W. H. SHURE, Cass  
C. M. PETERSON, Renville  
C. P. GILBERG

Mr. Peterson of Renville moved that the minority report be adopted.

Mr. Twichell moved the previous question, which motion prevailed.

The question being on Mr. Peterson's motion that the report of the minority be adopted, the motion was lost.

The question being on the motion of Mr. Savre that the report of the majority be adopted, the motion prevailed, the report was adopted, and House Bill No. 71 was referred to General Orders.

#### FOURTH ORDER OF BUSINESS

The Clerk read a message from the Governor.

Mr. Wolf moved that the message be printed in the Journal, which motion prevailed.

#### OFFICE OF THE GOVERNOR

Bismarck

February 6, 1937.

To the Members of the House of Representatives, Twenty-Fifth Legislative Assembly.

Gentlemen:

The extreme cold weather, heavy snow and blocked roads which we had feared, are now here, bringing with them real emergent need for food, clothing, fuel and feed for livestock. Reports by the hundreds directed to me indicate definitely that people are desperately hard up and are suffering for the lack of the necessities of life.

These conditions prompt me to urge your immediate consideration of appropriations necessary to prevent suffering, want and destitution.

I therefore recommend that the appropriation bills which are being introduced today be passed immediately. This action is necessary to enable the Public Welfare Board to plan definitely and to know what monies will be available for relief purposes, thus permitting the Board to make grants to the county Welfare Boards in sufficient amounts and at such times as will meet the emergency.

More and more counties are exhausting their own resources, and are finding it impossible to provide their share of funds on the present basis of allotment established by the Public Welfare Board.

I urgently recommend the immediate appropriation of \$3,000,000 for general relief. \$1,000,000 of this amount is needed to help the county welfare boards for the periods ending June 30th, 1937.

The Public Welfare Board estimates that \$2,000,000 will be sufficient for the biennium ending 1939, provided there is a profitable crop in 1937.

The appropriation requested by the Public Welfare Board for the purpose of providing the State's share of Old Age Assistance, Aid to Dependent Children, Aid to the Blind and for providing Child Welfare Services and for Services to Crippled Children in cooperation with the Federal Government and the various counties, is required to enable the State to receive Federal aid under the Social Security program. Without this comprehensive program the aged, the blind, the crippled children and dependent children will be on relief, and the state and the counties will have to provide for them without assistance from the Federal Government.

The two million six hundred thousand dollar appropriation request is based upon a careful estimate made by the Board and cannot be reduced without jeopardizing the public assistance program under the Federal Social Security Act.

Respectfully yours,

WILLIAM LANGER,  
Governor.

WL:JEB.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 5 and 7 of Chapter 148 of the Session Laws of 1935 by an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, and an Assistant Highway Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Com-

pensation and Providing for Disposition of Finance Collected; Making Certain State Highway Department Employees and Certain Employees of the State Board of Railroad Commissioners Members of Police Patrol.

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

On page 2 of the printed Bill, line 18, after the word "arrest," strike out the "comma (,)" and insert the words "and conviction".

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 102. A Bill for an Act to Provide for the Continued Eradication of Predatory Animals; Making an Appropriation and Prescribing the Manner of Its Expenditure in Cooperation with the United States Department of Agriculture; Bureau of Biological Survey; Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted, which motion prevailed and the report was adopted.

A minority of your Committee on Judiciary made the following report:

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred:

House Bill No. 148. A Bill for an Act Relating to the Crime of Kidnaping and Offenses Connected Therewith; and and Providing Penalties Therefor.

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

That all references pertaining to death penalty be stricken from the Bill.

LEONAS MYERS,  
GUST TWETEN.

And when so amended recommend the same do pass.

A majority of your Committee on Judiciary made the following report:



Mr. Speaker: A majority of your Committee on Judiciary to whom was referred:

House Bill No. 148. A Bill for an Act Relating to the Crime of Kidnaping and Offenses Connected Therewith; and Providing Penalties Therefor.

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

In Section 4, line 13, in printed Bill, after the word "for" and before the word "exceeding," remove the word "nor" and insert the word "not".

And when so amended recommend the same do pass.

EDW. SAVRE, Chairman.  
THOS. A. WHITE,  
H. B. KNUDSON, Steele,  
O. R. LaBERGE,  
JOHN BILLIGMEIER,  
HARVEY BRUSSEAU,  
E. SYMINGTON,  
L. R. BURGUM,  
L. L. TWICHELL.

Mr. Savre moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 6, 1937.

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

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

FIRST READING OF HOUSE BILLS

Messrs. Sand, Thoreson and Holm introduced:

House Bill No. 181. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Five Hundred Dollars or Less, Secured or Unsecured, at a Greater Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violation Thereof, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

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

Mr. Frazier introduced:

House Bill No. 182. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of That Certain Initiated Measure Approved by the People of North Dakota on June 29, 1932, Reducing and Fixing Salaries of County Officials; Providing for Appointment of Certain Deputies, Clerks and Assistants, Fixing Their Salaries; for Payment of All Fees to County, Etc., Repealing Certain Acts in Conflict with Such Initiated Measure, and Declaring an Emergency.

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

Messrs. Freitag, Thoreson and Sand introduced:

House Bill No. 183. A Bill for an Act Authorizing County,

Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Mr. Jensen (by request of District Judges) introduced:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 11281 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Commitment to the State Training School of Certain Persons Under the Age of 25 Years Convicted in the Courts of This State, by Order of the Court; Repealing Acts in Conflict Herewith; Declaring an Emergency.

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

Mr. Godwin introduced:

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments or Installments of Special Assessments, Relating to the Bidding in of Same When no Bidders at Sale, Relating to Damages to Certificate Holders When Statutory Proceedings Not Strictly Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and for the Repeal of Inconsistent Acts, and Declaring an Emergency.

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

Mr. Fitch introduced:

House Bill No. 186. A Bill for an Act Amending and Re-enacting Sections 4, 7 and 8 of Chapter 91 of the 1935 Session Laws of North Dakota, Relating to the Creating of a State Athletic Commission; Prescribing Its Powers and Duties; Providing Penalties for Violations and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Mr. Fitch introduced:

House Bill No. 187. A Bill for an Act Making an Appropriation to Provide Funds for the State Athletic Commission of the State of North Dakota for the Purpose of Paying Salary of Secretary and Commissioner and Furnishing Supplies and Equipment.

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

Messrs Godwin, Sand and Savre introduced:

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

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

Messrs Godwin, Wendland and Sand introduced:

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

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

Mr. Burgum introduced:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

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

Messrs Wolf, Krank, Sticka and Obach introduced:

House Bill No. 191. A Bill for an Act Granting to the Bank of North Dakota Power to Make Loans in Aid to Industry.

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

Mr. Holmquist (by request) introduced:

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913 as Amended by Chapter 138 of the Laws of 1935.

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

Messrs Olson of Adams, O'Brien and Semerad introduced:

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractic Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Mr. Burgum introduced:

House Bill No. 194. A Bill for an Act Creating the Office of Chaplain and Social Service Director for the State Training School at Mandan; Specifying the Duties and Privileges; Fixing the Salary; Providing for Payment of Expenses and Declaring an Emergency.

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

Messrs. Morland, Holmquist and Olson of Adams introduced:

House Bill No. 195. A Bill for an Act to Provide a Plan for Assistance or Pensions for the Blind; to Secure the Benefits of the Act of Congress of the United States Known as the "Social Security Act" Enabling the States to Make More Adequate Provisions for Blind Persons; Establishing a State Agency to Administer the Plan; Creating a Fund for the Payment of the Assistance Herein Provided and the Expenses of Administering the Plan; Designating and Prescribing the Persons Entitled to Assistance or Pensions and Other Benefits Provided by this Act; Prescribing Penalties for Violation of the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act; and Levying a Tax for the Creation of the Fund.

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

Messrs Niewoehner and Biberdorf introduced:

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and In-

vestment by the State Treasurer, and Declaring an Emergency.

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

Mr. Peterson of Renville introduced:

House Bill No. 197. A Bill for an Act Providing for the Exemption of All Farm Machinery Used for Actual Farming From Taxation While So Used, and Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

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

Messrs. Schauss, Morris and Olson of Adams introduced:

House Bill No. 198. A Bill for an Act Making an Appropriation to be Expended in Providing Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Care for Physically Handicapped or Crippled Children and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

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

Messrs Morris, Olson of Adams, and Schauss introduced:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 286, Session Laws 1935, to Include Sheriffs, Village Marshals and Constables as Employees within the Contemplation of the Workmen's Compensation Act.

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

The Committee on Livestock Introduced:

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appro-

riating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for Its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the Year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

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

Mr. Magill introduced:

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 11269b4 of the Supplement to the Compiled Laws of 1913 Relating to Compensation to Be Paid as Relief for Wrongful Imprisonment.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

Mr. Brusseau moved the previous question, 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, 48; nays, 55; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beaton	Jury	Peterson, Renville
Beggs	Just	Sand
Burgum	Kraus	Sandness
Caddell	Langford	Saumur
Day	McInnes	Schauss
Fitch	McIntee	Schimke
Frazier	Magill	Semerad
Frey	Morland	Severson

Messrs.	Messrs.	Messrs.
Godwin	Morris	Shurr, Bottineau
Goodlaxon	Myers	Sticka
Haines	Nelson, Cass	Stray
Holm	Obach	Thoreson
Holmquist	Olson, Adams	White
Huseby	Olson, Bowman	Williams
Jensen	Olson, McLean	Wolf
Johnson	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Kapaun	Rait
Benno	Knudson, Steele	Savre
Biberdorf	Knutson, LaMoure	Shure, Cass
Billigmeier	Krank	Solberg
Bjornson	LaBerge	Symington
Blair	Leum	Thompson
Brown	Levin	Traynor
Brusseau	Livingston	Treffry
Dalzell	Niewoehner	Trydahl
Freitag	Nelson, Sargent	Tuff
Frosaker	Norheim	Twetén
Gessner	O'Brien	Twichell
Gilberg	Odegard	Urschel
Graham	Oglesby	Wendland
Hagen	Olson, Sargent	Wick
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dittmer	Jones
Bieloh	Dullea	Ritter
Black	Greiser	Seibel
Byrne		

So the bill was lost.

Mr. Burgum moved that consideration of Senate Bill No. 83 be postponed one legislative day, which motion prevailed.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, 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, 95; nays, 5; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Renviile



Messrs.	Messrs.	Messrs.
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Benno	Knudson, Steele	Sand
Biberdorf	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Savre
Blair	LaBerge	Schauss
Brown	Langford	Schimke
Brusseau	Leum	Semerad
Burgum	Levin	Severson
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Norheim	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Holm	Olson, McLean	Wolf
Holmquist	Olson, Sargent	Mr. Speaker
Holthusen	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hofstrand	Shure, Cass	Wendland
Jury	Tweten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Kapaun
Beggs	Greiser	Nelson, Cass
Bieloh	Jones	Ritter
Black	Just	Seibel
Byrne		

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

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, 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, 93; nays, 0; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe
Beaton	Jury	Rait
Benno	Knutson, LaMoure	Sandness
Biberdorf	Krank	Saumur
Billigmeier	Kraus	Schauss
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Magill	Symington
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Gessner	Niewoehner	Treffry
Gilberg	Nelson, Cass	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Nelson, Sargent
Beggs	Frosaker	Ritter
Bieloh	Greiser	Sand
Bjornson	Jones	Savre
Black	Just	Schimke
Byrne	Kapaun	Seibel
Dullea	Knudson, Steele	

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

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of Delinquent Personal Property Taxes and Prescribing the Duties

of the County Treasurer and Sheriff in Connection With the Collection 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, 57; nays, 41; absent and not voting 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Odegard
Akland	Huseby	Olson, Adams
Beasley	Ireland	Olson, Bowman
Beaton	Jury	Page
Benno	Just	Peterson, Bot'neau
Biberdorf	Knutson, LaMoure	Peterson, Renville
Billigmeier	Kraus	Peterson, Richland
Bjornson	LaBerge	Sand
Blair	Leum	Sandness
Brown	Levin	Schimke
Brusseau	Livingston	Shurr, Bottineau
Burgum	McInnes	Solberg
Day	Magill	Symington
Freitag	Morland	Thompson
Frosaker	Morris	Tweten
Goodlaxon	Myers	Wendland
Graham	Niewoehner	White
Hofstrand	Norheim	Wick
Holm	O'Brien	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Schauss
Caddell	Kapaun	Semerad
Dalzell	Krank	Severson
Dittmer	Langford	Shure, Cass
Fitch	McIntee	Sticka
Frazier	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Obach	Trydahl
Godwin	Oglesby	Tuff
Hagen	Olson, McLean	Twichell
Haines	Olson, Sargent	Urschel
Holmquist	Pewe	Williams
Hultstrand	Rait	Wolf
Jensen	Saumur	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Ritter
Beggs	Frey	Savre
Bieloh	Greiser	Seibel
Black	Jones	Stray
Byrne	Knudson, Steele	Thoreson

So the bill passed and the title was agreed to.

Mr. Niewoehner moved that the vote by which House Bill No. 82 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Was read the second time.

Mr. Blair moved that House Bill No. 60 be re-referred to the Appropriations Committee.

Mr. Burgum moved the previous question, which motion prevailed.

The question being on Mr. Blair's motion that House Bill No. 60 be re-referred to the Committee on Appropriations, the motion was lost.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 27; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Richland
Akland	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beggs	Jensen	Sand
Benno	Just	Sandness
Biberdorf	Knutson, LaMoure	Schauss
Billigmeier	Krank	Schimke
Bjornson	LaBerge	Semerad
Brusseau	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Magill	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Treffry
Gessner	Niewoehner	Tuff
Godwin	Nelson, Cass	Tweten
Goodlaxon	Norheim	Urschel
Graham	Obach	Wendland
Hagen	Odegard	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, McLean	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Knudson, Steele	Peterson, Renville
Blair	Langford	Saumur

Messrs.	Messrs.	Messrs.
Brown	Morland	Savre
Burgum	Nelson, Sargent	Shure, Cass
Dalzell	O'Brien	Symington
Gilberg	Oglesby	Traynor
Johnson	Olson, Bowman	Trydahl
Jury	Olson, Sargent	Twichell
Kapaun	Page	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Jones
Beaton	Fitch	Kraus
Bieloh	Greiser	Ritter
Black	Ireland	Seibel
Byrne		

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

Mr. Frazier moved that the vote by which House Bill No. 60 was passed be reconsidered and the motion to reconsider be laid the table.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Speaker appointed on the committee to investigate the Board of Administration and conditions at the Agricultural College of Fargo the following: Representatives Stray, Twichell and Hagen.

Mr. Twichell moved that the committee be discharged, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Frazier: I move at this time that the Speaker appoint a committee of three members of this House to investigate the alleged sixty thousand dollar tax placed on the Agricultural College at Fargo for a sewage disposal plant, and the charge made against the College by the city of Fargo for water to wash their sewage system; also to investigate an apparent diversion of funds appropriated by the 1935 legislature to certain things, as well as the bond deals of the dormitories and the purported Fascist demonstration in the college for the purpose of intimidating the legislature.

The motion was lost.

Mr. Anfinson requested an extension of time on House Bill No. 49 and House Bill No. 50, which extension was granted.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Prohibiting the Manufacture, Owning, Operating, Storing, Possessing, Selling, Renting, Leasing, Lending, Transporting, or in any Manner Handling or Exposing for Sale or Lease, any Slot Machine, Ball Machine, or Other Device; Defining the Duties of State's

Attorneys, Peace Officers; Providing Penalties for the Violation of the Provisions of This Act; Continuing in Force Present Statutory Regulations Prohibiting or Regulating Slot Machines, and Declaring an Emergency.

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

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

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

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

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

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

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

Senate Bill No. 77. 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.

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

Senate Bill No. 88. A Bill for an Act Making Unlawful Certain Discriminations in Price, in Services or Facilities Furnished, or in Payment for Services or Facilities to Be Rendered, in Connection with the Sale of Commodities in the Course of Trade or Commerce, and Providing Certain Remedies for Violation.

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

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

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

Senate Bill No. 97. A Bill for an Act to Provide for the Collection of Delinquent Taxes Levied and Assessed Upon Real and/or Personal Property from the Rents, Issues and Income Thereof by Means of Receivership. Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

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

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

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

Senate Bill No. 100. A Bill for an Act to Amend Section 3696a of the Supplement to the Compiled Laws of 1913, Relating to Liability of Municipalities for Injuries Caused by Accumulation of Frost, Snow, Ice or Sleet on Public Side-

walks, Crosswalks, Streets, Alleys or Other Public Ways and Exempting Municipalities from Liability for Injuries to Person or Property Occurring in Whole or in Part Upon State or National Highways Within Such Municipalities.

Was read the first time and referred to the Committee on Corporations Other Than Municipal.

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

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

Senate Bill No. 78. 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.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of all Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A Majority of your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 166 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Section 6, of Chapter 189, of the Session Laws of North Dakota for the Year 1931, and as Further Amended and Re-enacted by Section 2, of Chapter 172, of the Session Laws of



1935; Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for the Report of Sales of Such Motor Vehicle Fuels; for Exempting Certain of Said Fuels from Taxation; for the Disposition of the Revenue Derived Therefrom; for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts Which Conflict Herewith.

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

At the end of title, strike out the period and insert a comma, and add the following words: "Providing a Penalty, and Declaring an Emergency."

Also, in lines 4, 17, 19, 20, 22, 28, 37, 42, 48, 49 and 50, 55, 56, 86, 87, of the printed bill, strike out the word, "Gasoline" and insert in lieu thereof the words, "Motor Vehicle Fuel."

Also, in lines 15, 42, 48, 86, strike out the word "Blue."

Also, in Section 6c, line 6 of original bill, after the word "same," insert a period and strike out balance of line 6 and all of lines 7, 8, 9, 10, 11 and 12, which is lines 58 and 59 up to and including line 66 of the printed bill.

Also, in Section 6c, line 2 of the original bill, which is line 52 of the printed bill, after the word "Dakota," strike out the comma and insert the following words: "To Specify the Dye to be Used and the Amount, and."

WM. H. WICK  
FRANKLIN PAGE  
OLE AKLAND  
OLE B. STRAY  
C. T. OLSON  
JOHN BILLIGMEIER  
H. W. BROWN  
GUS. A. SCHAUSS

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Stray moved that the report be adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A minority of your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 166 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Section 6, of Chapter 189, of the Session Laws of North Dakota for the Year 1931, and as Further Amended and Re-enacted by Section 2, of Chapter 172, of the Session Laws of 1935; Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for

the Report of Sales of Such Motor Vehicle Fuels; for Exempting Certain of Said Fuels from Taxation; for the Disposition of the Revenue Derived Therefrom; for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts Which Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. J. KAPAUN  
W. H. SHURE

Mr. Kapaun moved that the report be adopted.

Mr. Wolf offered as a substitute motion that the report of the majority be adopted, which motion prevailed and the majority report was adopted.

#### SEVENTH ORDER OF BUSINESS

House Concurrent Resolution "R", introduced by Representatives Kapaun, Gilberg and Holm:

A Bill for a Concurrent Resolution for Amendment and Re-enactment of Sections 25, as Amended by Article 26 of the Amendment to the Constitution, 6, 27, 28, 29, 30, 31, 45 and 56 of Article 2 of the Constitution of North Dakota and Providing a Legislature of one House, and Repealing Sections 32, 33, 34, 35, 36 and 51 of Article 2.

Was read the first time.

Mr. Page moved that House Concurrent Resolution "R" be referred to the proper committee, which motion prevailed, and the Resolution was referred to the Committee on State Affairs.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

M. J. Burns, Sherwood; Oliver Rosenberg, New Rockford; Bredy Klim, Beulah; Art Peterson, Bismarck; Harry Wagstrom, Maddock; Joe Coulter, Belfield; Carl B. Olson, Belfield; Don Smoke, Oberon, Ed. Petterson, Devils Lake; Mrs. Ella C. Boise, Bismarck; Loring Knecht, Bismarck; Ed. Peterson, Devils Lake; Ray Hiddens, Milo; Darlyn Shaw, Bismarck; Betty Shaw, Bismarck; Clifton Odegard, Buxton; Jos. G. Augustin, Rugby; Julius A. Rue, Burlington; Carl Opheim, Bismarck; J. F. Vadnie, Bismarck; Dr. Enget, Powers Lake; Geo. H. Moris, Neche; Mrs. Geo. H. Moris, Neche; Willard Chase, Williston; W. W. Nelson, Cavalier; Frank Fahlgren, Washburn; B. W. Shaw, Mandan; Pearl Olson, Bismarck; Vera Mathewson, Bismarck; Anne Homer, Bismarck; Richard Jones, Minneapolis; Oscar Thompson, Rolette; O. B. Thompson, Rolette; Miss Elinor Wancke, Bismarck; Ruth Crawford, Bismarck; Wm. Miller, Bismarck; John Cronard, Fargo.

Mr. Schauss moved that the House recess to 1:30 p. m., Monday, which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-FOURTH DAY ATER RECESS AND  
THIRTY-FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 8, 1937.

The House convened at 1:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

## SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that House Bill No. 181 be re-referred to  
the Committee on Ways and Means.

Which motion prevailed.

Mr. Shure moved that Senate Bill No. 100 be re-referred  
to the Committee on Cities and Municipal Corporations.

Which motion prevailed.

## GENERAL ORDERS

Mr. Saumur moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders.

Which motion prevailed.

The Speaker called Mr. Saumur to the chair, and the  
House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 71. A Bill for an Act to Amend and Re-  
enact Section 6073 of the Supplement to the 1913 Compiled  
Laws of the State of North Dakota as Amended by Chapter  
274 of the Session Laws of 1927 and as Further Amended by  
Chapter 159 of the Session Laws of 1935, Defining Usury and  
Fixing Penalty.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed bill, in Section 1, line 3, after the figures "274," strike out the word "section" and insert in lieu thereof the word "Session."

In Section 1, line 3, after the figures "1927," strike out the words "be and the same" and insert the following words in lieu thereof "and as further amended by Chapter 159 of the Session Laws of 1935."

In Section 1, line 10, after the word "than," strike out the word "five" and insert in lieu thereof the word "six."

In Section 1, line 13, after the word "pay" and before the word "on" insert the word "interest."

In Section 2, line 2, after the word "of," strike out the word "five" and insert in lieu thereof the word "six."

And the further amendment:

Amend the committee report by striking out the words and numerals "six" wherever they occur and inserting in lieu thereof the words and numerals "five."

And when so amended recommend the same do pass.

GEO. H. SAUMUR,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed, and the House adjourned.

#### THIRTY-FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 8, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Herbert Smith, Major, of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Bieloh, Black, Burgum, Byrne, Dullea, Frazier, Greiser, Just, Morris, Ritter and Seibel.

So a quorum was declared present.

## REFERENCE TO THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-second Day after Recess and the Thirty-third Day and recommend that the same be corrected as follows:

Move the Enrollers and Engrossers report, lines 29 to 51, inclusive, on page 534, to line 20 on page 530.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

Also,

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 19. A Bill for an Act to Provide for the

Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1937.

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

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Also,

Senate Bill No. 84. A Bill for an Act to Amend and Re-

enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### PETITIONS AND COMMUNICATIONS

Resolution from Divide County Retail Merchants Association favoring passage of the chain store tax bill.

Telegrams from Grand Forks and Minot Typographical Union, North Dakota Stereotypers, Local 116 Truck Drivers, International Book Binders Union Local 38, Fargo Trades and Labor Assembly, Fargo Typographical Union No. 186, State Federation of Labor, Fargo Allied Printing Trades Council, North Dakota Typographical Conference, Fargo Printing and Pressmen and Assistants Union No. 84, all of Fargo, opposing the passage of House Bill No. 63 and 132.

Three sets of resolutions from the County Commissioners of McKenzie County pertaining to water conservation, a railroad bridge across the Yellowstone river, and legislation for County finances.

Petition signed by O. C. Thompson and 112 signers from five townships in Ransom County urging favorable action on the "Bot Treatment" bill.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Was delivered to the Governor for his approval at the hour of 2:40 o'clock p. m., February 8, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

HOUSE CONCURRENT RESOLUTION "A",

HOUSE CONCURRENT RESOLUTION "H",

HOUSE CONCURRENT RESOLUTION "I"

Were delivered to the Secretary of State for filing at the hour of 3:00 p. m., January 26.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

HOUSE CONCURRENT RESOLUTION "P",

Were delivered to the Governor for his approval at the hour of 2:25 o'clock p. m., February 6, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,



House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass. With the suggestion that the bill be re-referred to the Appropriations Committee.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted.

Mr. Godwin moved that House Bill No. 177 be re-referred to the Appropriations Committee, which motion prevailed and House Bill No. 177 was re-referred to the Appropriations Committee.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

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

In the printed Bill, Page 1, line 9, after the word "have" insert a "comma" the word "shall" and another "comma".

On page 1, line 10, strike out the word "shall" entirely.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

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

In the printed bill, page 1, line 4 of the title, strike out the word "Legislature" and insert in lieu thereof the words "House of Representatives pursuant to House Resolution 'D'".

On page 1, line 10 of the title, strike out the words "State Legislature" and insert in lieu thereof the words "House of Representatives pursuant to House Resolution 'D'".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

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

On page 2, line 4, Section 2 of the printed bill, after the figures "\$5,000.00" insert a "comma" and the following words "or so much thereof as may be necessary,"

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. Speaker: Your Committee on Taxes and Tax Laws to whom was referred:

HOUSE CONCURRENT RESOLUTION "K," "Concurrent Resolution for Amendment of Section 176 of the Constitution of the State of North Dakota, Relating to Levying of Taxes Upon Property.

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

In Section 176, line 5, which is line 10 in printed Bill, after the word "Exempt," insert the words "in full or in part, Homesteads and". Also in Section 176, line 9, of the original Bill, which is line 17 of the printed Bill, after the word "Purposes," strike out the balance of the line. Also, lines 18 and 19 and up to and including the word "home" in line 20.

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Peterson of Renville, moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

OLE B. STRAY,  
Chairman.

W. H. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a penalty for the Violation of the Provisions Hereof.

Have had the same under consideration and recommend that the same do pass.

O. C. OLSON,  
Chairman.

Mr. A. J. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Election and Election Privileges made the following report:

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred:

House Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 137, Session Laws of 1931, Relating to Filling of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL,  
Chairman.

Mr. Hofstrand moved that the report be adopted.

Mr. Trydahl offered as a substitute motion that House Bill No. 91 be referred to the Judiciary Committee, which motion prevailed and House Bill No. 91 was referred to the Judiciary Committee.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 115. A Bill for an Act Prescribing the Limits Within Which Rubbish and Trash May Not Be Burned Within the Limits of Cities, Towns, and Villages of This State; Prescribing Penalties for Violations of the Provisions Hereof and Establishing the Amount of Damages Recoverable by Persons Injured by Reason of Violations of the Provisions Hereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE B. STRAY,  
Chairman.

Henry Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Drainage and Irrigation made the following report:

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred:

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

Have had the same under consideration and recommend that the same do pass.

M. D. GRAHAM,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 147. A Bill for an Act to Amend and Re-enact Section 17, of Chapter 148, of the Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. C. OLSON,  
Chairman.

A. C. Johnson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 171. A Bill for an Act Entitled, An Act to Amend Section 3696 of the Compiled Laws of 1913 Relating to the Removal of Ice and Snow From Sidewalks and Assessment of the Expense to the Abutting Property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE B. STRAY,  
Chairman.

K. A. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OLE B. STRAY,  
Chairman.

Wm. H. Wick moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

Have had the same under consideration and recommend that the same do pass.

As amended by the Senate.

L. C. ODEGARD,  
Chairman.

Mr. Thompson moved that the report be adopted, which motion prevailed and the report was adopted.

## SEVENTH ORDER OF BUSINESS

## HOUSE RESOLUTION "I"

Introduced by Representative Schauss

WHEREAS, The Melville Electric Shop of Bismarck, North Dakota, did furnish:

1 Quick Heat Heater .....	\$ 3.95
1 Greist Desk Lamp .....	2.00
1 Arvin Heater for the House of Representa- tives .....	6.95
Grand Total .....	<u>\$12.90</u>

AND WHEREAS, The materials furnished were used during the Legislative Assembly by the desk force for their comfort and convenience during the said session:

BE IT THEREFORE RESOLVED: That the Melville Electric Shop be paid the total of the bill, Twelve Dollars and Ninety Cents (\$12.90), after vouchers for the same have been duly executed and filed in the office of the State Auditor and that the same be charged to Legislative Expense.

Mr. Schauss moved that House Resolution "I" be adopted.

## ROLL CALL

The question being on Mr. Schauss' motion that House Resolution "I" be adopted, the roll was called and there were ayes, 96; nays, 0; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Page
Akland	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jones	Rait
Benno	Jury	Sand
Biberdorf	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Blair	Krank	Schauss
Brown	LaBerge	Schimke
Brusseau	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	McInnes	Sticka
Fitch	McIntee	Stray
Freitag	Magill	Symington
Frey	Morland	Thompson
Frosaker	Myers	Thoreson
Gessner	Nelson, Cass	Treffry
Gilberg	Nelson, Sargent	Trydahl

Messrs.	Messrs.	Messrs.
Godwin	Niewoehner	Tuff
Goodlaxon	Norheim	Tweten
Graham	Obach	Urschel
Hagen	O'Brien	Wendland
Haines	Odegard	White
Hofstrand	Oglesby	Wick
Holm	Olson, Adams	Williams
Holmquist	Olson, Bowman	Wolf
Holthusen	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frazier	Ritter
Bieloh	Greiser	Seibel
Black	Just	Semerad
Burgum	Kraus	Traynor
Byrne	Morris	Twichell
Dullea	Olson, Sargent	

So the motion prevailed and House Resolution "I" was adopted.

Mr. Hultstrand moved that the vote by which House Bill No. 98 was declared lost be reconsidered. The question being on Mr. Hultstrand's motion, a division was called for and the motion prevailed.

Mr. Godwin moved that House Bill No. 98 be returned to General Orders for the purpose of amendment, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "S"

Introduced by Representative Graham

A Concurrent Resolution for an Amendment to the Constitution of North Dakota providing that the Legislative Assembly may provide by law for the form of Municipal County Government and provide for the administration thereof.

Was read and referred to the Committee on State Affairs.

#### HOUSE CONCURRENT RESOLUTION "T"

Introduced by Representative Page

Urging the President and the Congress of the United States to repeal the Federal tax on gasoline, lubricating oil and grease.

Was read and referred to the Taxes and Tax Laws Committee.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:



Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

Also,

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

And the Speaker signed the same in the presence of the House.

Mr. Frazier requested that the House be on the Seventh Order of Business. There being no objection, the House reverted to the Seventh Order of Business.

Mr. Frazier: I move that the chair appoint a committee of seven, to meet with the Governor and a like committee from the Senate, to discuss the relief situation and ways and means of raising necessary revenue.

The motion prevailed.

#### FIRST READING OF HOUSE BILLS

Messrs. Schauss and Peterson of Renville introduced:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Bjornson, Peterson of Renville, Olson of Bowman, Ritter and Morland introduced:

House Bill No. 204.

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

Messrs Thompson and Day introduced:

House Bill No. 205. A Bill for an Act Directing the Sale or Lease of the State Mill and Elevator, and Declaring an Emergency.

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

Mr. Jensen (by request) introduced:

House Bill No. 206. A Bill for an Act Making an Appropriation for the Erection of a Building for Trades Industrial and Vocational Training at the State Training School at Mandan, North Dakota; Such Building to Be Erected Under the Supervision and Direction of the Superintendent of Said Training School and the Board of Administration.

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

Mr. Burgum introduced:

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

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

Messrs. Blair and Norheim introduced:

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

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

Mr. Knutson of LaMoure (by request) introduced:

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Make, Brand or Name.

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

Messrs. Schauss and Hagen introduced:

House Bill No. 210. A Bill for an Act Repealing Chapter 221 of the 1935 Session Laws of the State of North Dakota the Same Being an Act to Create a State Board of Public Welfare; Declaring an Emergency.

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

Messrs. Schauss and Hagen introduced:

House Bill No. 211. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners. Making it Optional for the County Commissioners to Establish Such Board; Repealing All Acts in Conflict and Declaring an Emergency.

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

Mr. Freitag introduced:

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction.

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

Mr. Freitag introduced:

House Bill No. 213. A Bill for an Act Permitting Boards of County Commissioners in Certain Counties to Levy General Property Taxes for Poor Relief Purposes for the Years 1937 and 1938, and Declaring an Emergency.

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

Messrs. Brusseau, Dalzell, Page and Symington introduced:

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

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

Messrs. Godwin, Burgum and Fitch introduced:

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 12, 15, 16 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927 Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, the Qualification of Applicants for Examinations, Certificates and Fees, and to Provide Penalties for Violation Thereof.

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

Mr. Holmquist introduced:

House Bill No. 216. A Bill for an Act to Impose an Equalization and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, the Payment of the Tax; the Replacement Feature Thereof, Distribution of Taxes Collected, and Penalties for the Violation Thereof.

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

Messrs. Twichell, Godwin and Burgum introduced:

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

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

Mr. Thompson introduced:

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 548a7, Supplement to the Compiled Laws of North Dakota for 1913, Relating to License Fees for Pool or Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatre or Moving Picture Shows, Taxicab or Auto Livery and Places Where Soft Drinks, Tobacco or Cigars Are Sold.

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

Messrs. Caddell and Magill introduced:

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

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

Messrs. Caddell and Magill introduced:

House Bill No. 220. A Bill for an Act to Amend and Re-enact Sections 3181, 3182, 3183, 3184 and 3185 of the Compiled Laws of North Dakota for 1913 Relating to the Burial Duties of the County Judge and Other Officers and Appropriations Relating Thereto.

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

Messrs. Twichell, Godwin and Burgum introduced:

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption, by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

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, 57; nays, 36; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Schauss
Akland	Kraus	Schimke
Anfinson	Livingston	Semerad
Beaton	McIntee	Shure, Cass
Biberdorf	Morland	Shurr, Bottineau
Billigmeier	Myers	Sticka
Brown	Niewoehner	Stray
Brusseau	Nelson, Sargent	Symington
Caddell	Obach	Thoreson
Dalzell	Odegard	Treffry
Fitch	Olson, Adams	Tuff
Freitag	Olson, Bowman	Tweten

Messrs.	Messrs.	Messrs.
Gessner	Olson, McLean	Twichell
Gilberg	Olson, Sargent	Urschel
Godwin	Page	White
Goodlaxon	Peterson, Renville	Wick
Hagen	Pewe	Williams
Haines	Rait	Wolf
Holmquist	Savre	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	McInnes
Benno	Ireland	Magill
Blair	Johnson	Nelson, Cass
Day	Jones	O'Brien
Dittmer	Jury	Oglesby
Frey	Kapaun	Peterson, Richland
Frosaker	Knudson, Steele	Sandness
Graham	Krank	Severson
Hofstrand	LaBerge	Solberg
Holm	Langford	Thompson
Holthusen	Leum	Trydahl
Hultstrand	Levin	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Peterson, Bot'neau
Beggs	Frazier	Ritter
Bieloh	Greiser	Sand
Bjornson	Just	Saumur
Black	Knutson, LaMoure	Seibel
Burgum	Morris	Traynor
Byrne	Norheim	

So the bill passed and the title was agreed to.

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

Was read the second time.

Mr. Twichell asked unanimous consent to amend the bill by striking out the words "and parts of counties" in lines 2 and 3 of the title, which consent was granted.

Mr. Twichell moved that the rules be suspended and that House Bill No. 83 be placed on 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, 74; nays, 22; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Sand
Akland	Jensen	Sandness
Anfinson	Jury	Saumur
Beaton	Knutson, LaMoure	Savre
Benno	Krank	Schauss
Biberdorf	Kraus	Schimke
Billigmeier	Langford	Semerad
Brown	Livingston	Shure, Cass
Brusseau	McInnes	Shurr, Bottineau
Fitch	McIntee	Solberg
Freitag	Magill	Sticka
Frey	Morland	Stray
Frosaker	Myers	Thoreson
Gessner	Niewoehner	Traynor
Gilberg	Norheim	Treffry
Godwin	Obach	Trydahl
Goodlaxon	O'Brien	Tweten
Graham	Odegard	Twichell
Hagen	Olson, Adams	Urschel
Haines	Olson, Bowman	Wendland
Hofstrand	Olson, McLean	White
Holm	Olson, Sargent	Wick
Holmquist	Peterson, Renville	Williams
Hultstrand	Pewe	Mr. Speaker
Huseby	Rait	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Oglesby
Blair	Kapaun	Peterson, Richland
Caddell	Knudson, Steele	Severson
Dalzell	LaBerge	Symington
Day	Leum	Thompson
Dittmer	Levin	Tuff
Holthusen	Nelson, Cass	Wolf
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Nelson, Sargent
Beggs	Dullea	Page
Bieloh	Frazier	Peterson, Bot'neau
Bjornson	Greiser	Ritter
Black	Just	Seibel
Burgum	Morris	

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

Mr. Sand moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## FIFTH ORDER OF BUSINESS

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGRROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

## TENTH ORDER OF BUSINESS

## FIRST READING OF HOUSE BILLS

Mr. Schauss introduced:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 2618, Compiled Laws of North Dakota for the Year 1913, and Chapter 140 of the Sessions Laws of North Dakota for the Year 1919, Relating to the Herd Law and How the Same May Be Established and Suspended and Providing That All Herd Laws Heretofore Established Shall Be Suspended.

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

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of



Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases.

Which the Senate has amended as follows:

In Section 1, line 9, of the printed bill, strike out the "period" and in lieu thereof insert a "comma." After the word "product" in Section 1, line 9, of the printed bill, add the following language: "provided that in all cases where land is sold, conveyed or transferred by the county the title to all minerals, gas and petroleum deposits shall be retained and reserved by the county."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 17, and that a conference committee be appointed to act with a like committee from the Senate. The motion prevailed, and the Speaker appointed on such conference committee Representatives Olson of Bowman, Twichell and Hagen.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 8, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 17 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Olson of Bowman, Twichell and Hagen.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

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

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

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

Mr. Morland requested that the House be on the Seventh Order of Business. There being no objection, the House returned to the Seventh Order of Business.

Mr. Morland moved that the printing be held up on House Bill No. 204.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency, 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, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Anfinson	Johnson	Peterson, Richland
Beaton	Jones	Pewe
Beggs	Jury	Rait
Benno	Kapaun	Sand
Biberdorf	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Bjornson	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Semerad
Brusseau	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	Magill	Sticka
Fitch	McInnes	Symington
Freitag	McIntee	Thompson
Frey	Morland	Thoreson
Frosaker	Myers	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Niewoehner	Trydahl
Godwin	Norheim	Tuff

Messrs.	Messrs.	Messrs.
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dullea	Nelson, Cass
Beasley	Frazier	Ritter
Bieloh	Greiser	Schimke
Black	Just	Seibel
Burgum	Morris	Stray
Byrne		

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

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Was read the second time.

Mr. O'Brien moved the previous question.

Which motion was lost.

Mr. Godwin requested that the House be on the Seventh Order of Business. There being no objection, the House reverted to the Seventh Order of Business.

Mr. Godwin moved that consideration of Senate Bill No. 87 be deferred one legislative day.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent 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, 95; nays, 1; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Sand
Benno	Jones	Sandness
Biberdorf	Jury	Saumür
Billigmeier	Krank	Savre
Bjornson	Kraus	Schauss
Blair	Knudson, Steele	Semerad
Brown	Knutson, LaMoure	Severson
Brusseau	Langford	Shure, Cass
Caddell	Leum	Shurr, Bottineau
Dalzell	Levin	Solberg
Day	Livingston	Sticka
Dittmer	Magill	Symington
Fitch	McInnes	Thompson
Frazier	McIntee	Thoreson
Freitag	Morland	Traynor
Frey	Myers	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Niewoehner	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Urschel
Graham	O'Brien	Wendland
Greiser	Odegard	White
Hagen	Oglesby	Wick
Haines	Olson, Adams	Williams
Hofstrand	Olson, Bowman	Wolf
Holm	Olson, McLean	Mr. Speaker
Holmquist	Olson, Sargent	

Those voting in the negative were:

Messrs.  
Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Goodlaxon	Peterson, Bot'neau
Bieloh	Just	Ritter
Black	Kapaun	Schimke
Burgum	LaBerge	Seibel
Byrne	Morris	Stray
Dullea	Nelson, Cass	

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

Mr. Godwin moved that the vote by which Senate Bill No.

83 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Speaker announced the appointment of the committee of seven to meet with the Governor and a like committee from the Senate as follows: Representatives Hagen, Shurr of Bottineau, Burgum, Olson of Bowman, Thompson, Frazier and Livingston.

#### FIFTH ORDER OF BUSINESS

##### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Also,

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Also,

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 8, 1937.

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization, and Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All

Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### GENERAL ORDERS

Mr. Saumur moved that the House resolve itself into a Committee of the Whole for the consideration of general orders.

Which motion prevailed.

The Speaker called Mr. Saumur to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arise it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 94. A Bill for an Act to Amend and Re-enact Section 5 and 7 of Chapter 148 of the Session Laws of 1935 by an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, and an Assistant Highway Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Finance Collected; Making Certain State Highway Department Employees and Certain Employees of the State Board of Railroad Commissioners Members of Police Patrol.

And recommend that further consideration of House Bill No. 94 be indefinitely postponed.

Also,

House Bill No. 148. A Bill for an Act Relating to the Crime of Kidnaping and Offenses Connected Therewith; and and Providing Penalties Therefor.

And recommend that further action of House Bill No. 148 be indefinitely postponed.

Also,

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 166 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Section 6, of Chapter 189, of the Session Laws of North Dakota for the Year 1931, and as Further Amended and Re-enacted by Section 2, of Chapter 172, of the Session Laws of

1935; Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for the Report of Sales of Such Motor Vehicle Fuels; for Exempting Certain of Said Fuels from Taxation; for the Disposition of the Revenue Derived Therefrom; for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts Which Conflict Herewith.

And recommend that further consideration of House Bill No. 92 be indefinitely postponed.

GEO. H. SAUMUR,  
Chairman.

Mr. Wolf moved that the report of the Committee of the Whole be adopted, which motion prevailed, and the report was adopted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

E. J. Tainter, John Harris, Albert Lundberg, all of Park River; Geo. Jones, Minot; Jack Schweigert and L. C. Stuhl-dreher, Mandan; A. P. Hanson, Litchville; Mrs. Mandas Holstrand, Cavalier; Ben Hansen, Garske; Mrs. R. C. Day, Moffit; Opal Mathena, Livona; Elizabeth Stannard, Bismarck; Acey Olson, Fargo; Rev. J. R. Matz, New Leipzig; Mrs. Iver Solberg, Ray; W. H. Sayere, Bismarck; Ernest Leland, Skair; Raymond May, Watford City; E. B. Fisher, Fairview; Harold Schafer, Bismarck; Paul Zarkowski, Jamestown; W. E. Weldy, Bismarck; H. H. Hainus, Miles City, Mont.; E. H. Brant, Linton.

Mr. Fitch moved that the House recess to 1:00 P. M. tomorrow, which motion prevailed and the House was recessed.

MINNIE D. CRAIG,  
Chief Clerk.



THIRTY-FIFTH DAY AFTER RECESS AND  
THIRTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 9, 1937.

The House convened at 1:00 P. M., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. McInnes moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. McInnes to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

And recommend the adoption of the Standing Committees' amendments as follows:

In the printed bill, page 1, line 9, after the word "have" insert a "comma" the word "shall" and another "comma."

On page 1, line 10, strike out the word "shall" entirely.

And when so amended recommend the same do pass.

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

And recommend the adoption of the Standing Committees' amendments as follows:

In the printed bill, page 1, line 4 of the title, strike out the word "Legislature" and insert in lieu thereof the words "House of Representatives pursuant to House Resolution 'D'".

On page 1, line 10 of the title, strike out the words "State Legislature" and insert in lieu thereof the words "House of Representatives pursuant to House Resolution 'D'".

And when so amended recommend the same do pass.

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

And recommend the adoption of the Standing Committees' amendments as follows:

On page 2, line 4, Section 2 of the printed bill, after the figures "\$5,000.00" insert a "comma" and the following words "or so much thereof as may be necessary."

And when so amended recommend the same do pass.

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

And recommend that action on the same be deferred.

HOUSE CONCURRENT RESOLUTION "K," "Concurrent Resolution for Amendment of Section 176 of the Constitution of the State of North Dakota, Relating to Levying of Taxes Upon Property.

And recommend the adoption of the Standing Committees' amendments as follows:

In Section 176, line 5, which is line 10 in printed bill, after the word "Exempt," insert the words "in full or in part, Homesteads and." Also in Section 176, line 9, of the original bill, which is line 17 of the printed bill, after the word "Purposes," strike out the balance of the line. Also, lines 18 and 19 and up to and including the word "home" in line 20.

And when so amended recommend the same do pass.

H. W. McINNES,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Severson moved that the absent members be excused, which motion prevailed.

Mr. Hagen requested an extension of time on House Bill No. 120 and House Bill No. 144, which extension was granted.

Mr. Beaton moved that Senate Bill No. 93 be referred to the State Affairs Committee.

Mr. Fitch offered as a substitute motion that Senate Bill No. 93 be moved to the head of the calendar.

The question being on Mr. Fitch's substitute motion, a division was called for and the motion prevailed.

#### TENTH ORDER OF BUSINESS

##### FIRST READING OF HOUSE BILLS

Messrs. Schauss, Wick, Fitch and Benno introduced:

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

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

Mr. Godwin introduced:

House Bill No. 235. A Bill for an Act to appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

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

Mr. Beggs Introduced:

House Bill No. 236. A Bill for an Act Appropriating \$750.00 to the Tax Survey Commission for Expenses Incident to the Drafting of the Legislative Program of the Tax Survey Commission and Declaring an Emergency.

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

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

## THIRTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 9, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Herbert Smith, Major, of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Black, Byrne, Dittmer and Seibel. So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 34th day after recess and 35th day and recommend that the same be corrected as follows:

Page 589, line 52, strike out the word "Also."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Resolution from McIntosh county praying for feed and seed by February 15th, signed by Philip Dockter of Venturia and forty-two others.

REPORT OF 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:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

Also,

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

And find the same correctly engrossed.

HERMAN JUST, Jr.,  
Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

HOUSE RESOLUTION "I", Appropriation for House Equipment.

And find the same correctly enrolled.

HERMAN JUST, Jr.,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE RESOLUTION "M".

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck North Dakota,  
February 9, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill 17, Senators Thatcher, Brostuen and Aasen.

Very respectfully,

THOMAS McDONALD.  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 137. A Bill for an Act Vesting in and Imposing Upon the State Welfare Board Additional Powers and Duties, Repealing Sections 283b6 and 283b7, Supplement to the Compiled Laws, 1913, and Declaring an Emergency.

Also,

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Also,

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Also,

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Also,

#### SENATE CONCURRENT RESOLUTION "L".

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 4. 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.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue

Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 93. A Bill for an Act Making an Appropriation for the Purpose of Conducting Grain Festivals or Exhibitions to Advertise the Products and Resources of the State.

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

In the printed bill, page 1, Section 1, line 3, strike out the word "Two" and insert in lieu thereof the word "one".

Page 2, Section 2, line 6, after the word "spots", insert a "period" and strike out the remaining words of the Section.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

#### SENATE CONCURRENT RESOLUTION "M".

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:



Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

**HOUSE CONCURRENT RESOLUTION "T".**

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shurr of Cass moved that the report be adopted.

Mr. Godwin offered as a substitute motion that the House adopt House Concurrent Resolution "T", which motion prevailed, and House Concurrent Resolution "T" was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

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

Strike everything out after the words "A Bill" and insert in lieu thereof as follows:

For an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

SECTION 1. The Board of County Commissioners where real estate taxes are delinquent may permit any person owning real property upon which taxes are delinquent prior to December 1, 1936, to pay the delinquent taxes assessed against his property, exclusive of interest and penalty in six annual installments. With interest at four per cent (4%) per annum, payable on or before October 15 of each year, ten percent (10%) of the adjusted principal to be paid each year for two successive years and twenty percent (20%) of the adjusted principal every year thereafter until the full amount of the adjusted principal with interest at four per cent (4%) is fully paid.

SECTION 2. It shall be the duty of the Board of County Commissioners to require the owner of the property upon which there is delinquent taxes due and payable to enter

into a contract with the Board of County Commissioners wherein the owner agrees to pay the full amount of the adjusted principal with interest at four per cent (4%) per annum from the date of the adjustment.

SECTION 3. Board of County Commissioners shall require the payment in full of all taxes to become due and payable against said real property subsequent to November 1, 1936, before any adjustment shall be made.

SECTION 4. All proceedings as by law required for the collection of the taxes due thereon shall be suspended so long as the owner shall continue the payments as herein provided. Upon the failure to make one or more payments when due, the proper officers of the county may proceed to collect all of the delinquent taxes due and payable thereon with penalty and interest as though no adjustment had been made, and the county may also enforce the provisions of the contract by a civil action in the proper courts of the state.

SECTION 5. AN EMERGENCY.) Whereas it is necessary to provide a method for distressed property owners to pay their taxes, this act is hereby declared 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.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

In the title, line 4 after the word "Insurance" strike out the balance of that line and all of line 5.

On original bill, page 2, Section 5, line 2, strike out the

words "consists of all crops" and insert in lieu thereof "be limited to rye, wheat, speltz, barley, oats, flax, corn, buckwheat, millet, cane and potatoes".

On page 3, Section 6, line 1, strike out the words "Flax tax and".

Beginning with the word "There," strike out all of the section down to line 11 including the word "tax".

On line 12 strike out the word "further".

Line 22 in same section after the word "year" strike out the balance of the section.

On page 4, Section 7, line 27, strike out the words "flat tax and".

On page 5, line 4, in the same section strike out the words "and flat".

On page 9, Section 12, line 14, after the word "withdrawal" insert the following: "Provided, however, that upon any such withdrawal made after June 5, 15% of current indemnity tax shall be charged and collected in the same manner as is now provided for the collection of the regular Hail Indemnity Tax."

On page 10, Section 12, line 21, strike out "5th" and insert in lieu thereof "20th".

On page 19, Section 29, line 8, after the word "act" insert the following: "Provided that special policies may be written on potatoes, and the amount of indemnity thereunder for total loss shall be eighteen dollars (\$18.00) per acre. Such special policy shall be in addition to the regular policy on potatoes."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 158. A Bill for an Act to Amend and Re-enact Section 2170 of the 1913 Compiled Laws of the State of North Dakota, Relating to Removal and Disposal of Personal Property on Which Taxes Remain Unpaid.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 159. A Bill for an Act to Amend and Re-enact Section 5½ of Chapter 180 of the Session Laws of 1927, and as Amended by Chapter 187 of the Session Laws of 1931, Being an Act to Require Registration Cards and Fixing the Place of Carrying Same on Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; and to Impose Penalties for Violation of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 169. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of This State and to Fix Minimum Salaries.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUS A. SCHAUSS,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

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

In the heading of the Bill, strike out "RECOMMENDED BY THE NORTH DAKOTA EDUCATION ASSOCIATION."

At the end of the title of the Bill, after the word "only," strike out the period and insert a semicolon and add the words: "REPEAL, AND DECLARING AN EMERGENCY."

In Section 2, after the figure "2," insert the word "REPEAL.)"

Add: "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.

GUS A. SCHAUSS,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1178 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Teachers, How Employed, and Their Salaries.

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

In Section 1, line 6, of the original Bill, which is line 7 of the printed Bill, after the word "for" and before the word "violation," insert the word "plain".

Also, in line 9 of the original Bill, which is line 8 of the printed Bill, after the word "and" and before the word "neglect," insert the word "flagrant".

Also, in line 14 of the original Bill, which is line 15 of the printed Bill, after the word "than," strike out the words and figures "Forty-five Dollars (\$45.00)" and insert in lieu thereof the words and figures "Fifty Dollars (\$50.00)."

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 9, 1937.

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

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Thereof; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same

in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 9, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of Delinquent Personal Property Taxes and Prescribing the Duties of the County Treasurer and Sheriff in Connection With the Collection Thereof.

Also,

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

Also,

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a

Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

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

Very Respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Thoreson moved that the courtesies of the floor and of the rostrum be extended to Mr. A. P. Hanson of Litchville, former Speaker of the House of Representatives, and that the Speaker appoint a committee to escort Mr. Hanson to the rostrum.

The motion prevailed and the Speaker appointed to such committee Representatives Twichell and Freitag.

Representatives Twichell and Freitag escorted Mr. Hanson to the rostrum.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

SENATE RESOLUTION "M".

Also,

HOUSE RESOLUTION "I".

Also,

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 9, 1937.

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

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Also,

SENATE RESOLUTION "M".

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



## FIRST READING OF HOUSE BILLS

Messrs. Schauss and Godwin introduced:

House Bill No. 224. A Bill for an Act to Provide for the Management and Control of State Institutions of Higher Education; Creating a State Board of Higher Education for the Control of the State Institutions of Higher Education; to Prescribe Its Powers and Duties; to Provide for the Appointment of a Commissioner of Higher Education and to Prescribe His Powers and Duties; to Provide an Appropriation to Carry Out the Purposes of This Act and Repealing All Acts or Parts of Acts in Conflict or Inconsistent Therewith.

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

Mr. Schauss introduced:

House Bill No. 225. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Sub-section G of Section 3, Chapter 162, Session Laws of 1919 as Amended by Chapter 260, Session Laws of 1929 and Chapter 286, Session Laws of 1935; Paragraph F of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 285, Session Laws of 1927 and Chapter 314, Session Laws of 1931; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919 as Amended by Chapter 143, Session Laws of 1921 and Which Appears as Section 396a5 of the 1925 Supplement; the Ninth and Final Paragraph of Section 7 of Chapter 162, Session Laws of 1919 as Amended by Chapter 312, Session Laws of 1931; the Fourth and Fifth Paragraphs of Section 8, Chapter 162, Session Laws of 1919 as Amended by Chapter 315, Session Laws of 1931 and Section 23 of Chapter 162, Session Laws of 1919 Which Also Appears as Section 396a23 of the 1925 Supplement.

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

Mr. Schauss introduced:

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2766 of the Compiled Laws of North Dakota in 1913; Providing for Examination of Stallions by Qualified Veterinarian Under the Employment of the Stallion Registration Board Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Messrs. Schauss, Wolf, Olson of McLean and Obach introduced:

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 239 of the Session Laws of 1919 Which Also Appears as Section 3009a2 of the 1925 Supple-

ment Relative to the Standard Weight of Coal, Charcoal and Ice to Include Therein Contracts for Transportation and Mining as Well as Sale.

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

Mr. Freitag introduced:

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City Council, Providing Form of Ballot, Notice of Election, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Mr. Freitag introduced:

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

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

Mr. Thoreson of Barnes introduced:

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

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

Mr. Frazier introduced:

House Bill No. 231. A Bill for an Act Providing for the Assessment and Taxation of Monies and Credits; Defining Monies and Credits; Providing for Reports to Be Made to the State Tax Commissioner; Prescribing the Rate of Taxation and the Disposition of the Tax.

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

Messrs. Schauss and Ritter introduced:

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

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

#### FOURTEENTH ORDER OF BUSINESS

#### SECOND READING OF SENATE BILLS

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

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, 81; nays, 21; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Olson, Sargent
Beasley	Johnson	Page
Beaton	Jones	Peterson, Renville
Beggs	Jury	Peterson, Richland
Benn	Just	Rait
Bieloh	Knudson, Steele	Sand
Blair	Knutson, LaMoure	Sandness
Brown	Krank	Saumur
Burgum	Kraus	Schauss
Caddell	LaBerge	Schimke
Dalzell	Langford	Seibel
Day	Leum	Semerad
Dullea	Livingston	Severson

Messrs.	Messrs.	Messrs.
Fitch	McIntee	Shure, Cass
Freitag	Magill	Sticka
Frey	Morland	Stray
Frosaker	Morris	Symington
Gessner	Myers	Thompson
Gilberg	Niewoehner	Thoreson
Godwin	Nelson, Cass	Traynor
Graham	Nelson, Sargent	Trydahl
Hagen	Norheim	Tweten
Haines	Obach	Twichell
Hofstrand	Odegard	Wendland
Holm	Oglesby	White
Holmquist	Olson, Adams	Wolf
Huseby	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Shurr, Bottineau
Anfinson	Ireland	Solberg
Biberdorf	O'Brien	Treffry
Billigmeier	Peterson, Bot'neau	Tuff
Brusseau	Pewe	Urschel
Frazier	Ritter	Wick
Greiser	Savre	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dittmer	Levin
Bjornson	Goodlaxon	McInnes
Black	Holthusen	Olson, Bowman
Byrne	Kapaun	

So the bill passed and the title was agreed to.

Mr. Twichell 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.

#### EXPLANATION OF VOTES

Mr. Solberg: "I vote 'no' on this bill because I am absolutely opposed to any board having controversial powers in any organization in the state, and I also think the bill is absolutely unethical. For that reason I vote 'no'."

Mr. Pewe: "I am voting 'no' on Senate Bill No. 93 and wish my vote recorded in the Journal. I am voting 'no' because unnecessary pressure has been brought to bear, trying to make me vote against my honest convictions. Through personal experience I am convinced that a large number of dentists should be working as apprentices in Blacksmith shops, and not practicing as licensed dentists—and these dentists I have in mind are some of those so-called ethical dentists this law aims to protect."

House Bill No. 71. A Bill for an Act to Amend and Re-

enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

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, 60; nays, 43; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Sand
Akland	Ireland	Savre
Anfinson	Jensen	Schauss
Beaton	Kapaun	Schimke
Beggs	Knutson, LaMoure	Seibel
Biberdorf	Livingston	Semerad
Bieloh	McIntee	Shurr, Bottineau
Billigmeier	Magill	Solberg
Bjornson	Morland	Sticka
Brown	Myers	Stray
Brusseau	Nelson, Cass	Thoreson
Caddell	Obach	Treffry
Frazier	Odegard	Tuff
Freitag	Olson, Adams	Tweten
Godwin	Olson, McLean	Urschel
Greiser	Peterson, Bot'neau	White
Hagen	Peterson, Richland	Wick
Haines	Pewe	Williams
Holmquist	Rait	Wolf
Hultstrand	Ritter	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jury	Oglesby
Benno	Just	Olson, Sargent
Blair	Knudson, Steele	Page
Dalzell	Krank	Peterson, Renville
Day	Kraus	Sandness
Dullea	LaBerge	Saumur
Fitch	Langford	Severson
Frey	Leum	Shure, Cass
Frosaker	McInnes	Symington
Gessner	Morris	Thompson
Gilberg	Niewoehner	Traynor
Graham	Nelson, Sargent	Trydahl
Holm	Norheim	Twichell
Johnson	O'Brien	Wendland
Jones		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Dittmer	Holthusen

Messrs.	Messrs.	Messrs.
Black	Goodlaxon	Levin
Burgum	Hofstrand	Olson, Bowman
Byrne		

So the bill passed and the title was agreed to.

Mr. Solberg 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.

Mr. Thoreson: I vote "aye" for the reason that several hundred thousand dollars which now go to big machine companies and other creditors outside of the State will now, under this bill, be saved for the people of North Dakota. I vote "aye."

Mr. Williams: I can't imagine farmers coming up here, under the conditions at the present time, and voting "no" on this bill. We have been trying to get out from under this load for fifty years, and now have a chance to rectify ourselves—and you fellows are voting "no." I can't imagine such a thing. I wouldn't think so much of the bankers voting "no" on this bill, but 75% of you are sod-busters, and I can't understand it. I vote "aye" on this.

Mr. Magill: I voted "aye" on this bill, not because I subscribe to some of the arguments put forth in favor of it, but because I feel that this bill being passed will be open to amendment in the Senate, and because I don't want to kill the bill I vote "aye."

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, 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, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Renville
Akland	Jensen	Peterson, Richland
Anfinson	Johnson	Pewe
Beasley	Jones	Rait
Beaton	Jury	Ritter
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Savre
Bieloh	Knutson, LaMoure	Schauss
Billigmeier	Krank	Seibel

Messrs.	Messrs.	Messrs.
Bjornson	Kraus	Semerad
Blair	LaBerge	Severson
Brown	Langford	Shure, Cass
Brusseau	Leum	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Magill	Symington
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker
Huseby	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Caddell	Levin
Black	Dittmer	Nelson, Sargent
Burgum	Goodlaxon	Saumur
Byrne	Holthusen	Schimke

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 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a Penalty for the Violation of the Provisions Hereof.

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, 91; nays, 5; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jones	Peterson, Renville
Anfinson	Jury	Peterson, Richland
Beasley	Just	Pewe
Beaton	Kapaun	Rait
Benno	Knudson, Steele	Ritter
Billigmeier	Knutson, LaMoure	Sand

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bjornson	Krank	Sandness
Blair	Kraus	Savre
Brown	LaBerge	Schauss
Brusseau	Langford	Seibel
Burgum	Leum	Severson
Dalzell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dullea	McIntee	Solberg
Fitch	Magill	Sticka
Frazier	Morland	Symington
Freitag	Morris	Thompson
Frey	Myers	Thoreson
Frosaker	Niewoehner	Traynor
Godwin	Nelson, Sargent	Treffry
Graham	Norheim	Trydahl
Greiser	Obach	Tuff
Hagen	O'Brien	Tweten
Haines	Oglesby	Twichell
Hofstrand	Olson, Adams	Urschel
Holm	Olson, Bowman	Wendland
Holmquist	Olson, McLean	White
Hultstrand	Olson, Sargent	Wick
Huseby	Page	Williams
Ireland	Peterson, Bot'neau	Mr. Speaker
Johnson		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beggs	Jensen	Semerad
Bieloh	Odegard	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Akland	Dittmer	Nelson, Cass
Anderson	Gessner	Saumur
Biberdorf	Gilberg	Schimke
Black	Goodlaxon	Stray
Byrne	Holthusen	Wolf
Caddell	Levin	

So the bill passed and the title was agreed to.

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

Was read the second time.

Mr. Godwin asked the unanimous consent of the House to amend House Bill No. 118 as follows:

On page 2, line 16, after the period following the word "property", add the following:

"Provided, however, that after the improvements have been established and constructed, the board may likewise, upon



petition of an owner, re-examine the benefits, and if it appears from such re-examination that more property of such owner has been assessed than has actually been benefitted the board may re-assess such benefits so as to conform to the proven facts."

The unanimous consent was granted.

Mr. Godwin moved that the rules be suspended, and that House Bill No. 118 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, 94; nays, 2; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Johnson	Pewe
Beggs	Jones	Ritter
Benno	Jury	Sand
Biberdorf	Krank	Sandness
Bieloh	Kraus	Saumur
Billigmeier	LaBerge	Savre
Bjornson	Langford	Schauss
Blair	Leum	Schimke
Brown	Livingston	Seibel
Brusseau	McInnes	Semerad
Caddell	McIntee	Severson
Dalzell	Magill	Shurr, Bottineau
Day	Morland	Solberg
Dullea	Morris	Sticka
Frazier	Myers	Symington
Freitag	Niewoehner	Thompson
Frey	Nelson, Cass	Thoreson
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.
Shure, Cass	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Knutson, LaMoure
Beaton	Hofstrand	Levin
Black	Jensen	Rait
Burgum	Just	Stray
Byrne	Kapaun	Traynor
Dittmer	Knudson, Steele	

So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 137. A Bill for an Act Vesting in and Imposing Upon the State Welfare Board Additional Powers and Duties, Repealing Sections 283b6 and 283b7, Supplement to the Compiled Laws, 1913, and Declaring an Emergency.

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

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

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

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

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

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

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

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

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

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

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

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

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

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

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

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

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

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

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

#### SENATE CONCURRENT RESOLUTION "L".

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

### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

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

Strike out all of Section 1, beginning with the word "having" at the end of line 5 of the printed bill and to and including the word "shall" and the comma (,) at the beginning of line 9, and insert in lieu thereof the following: "without such tanks being

properly diked". In said line 9, after the word "when" and ahead of the word "deemed" insert the words "such diking is" and after the word "necessary" and ahead of the word "by" line 9 insert the words "and required and ordered".

On page 2, line 12, Section 1, change the comma (,) following the word "located" to a period (.) and strike out the balance of lines 12 and 13 in Section 1.

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

#### FOURTEENTH ORDER OF BUSINESS

#### SECOND READING OF SENATE BILLS

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, 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, 102; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Johnson	Pewe
Benno	Jones	Rait
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Krank	Savre
Blair	Kraus	Schauss
Brown	Knutson, LaMoure	Schimke
Brusseau	Langford	Seibel
Burgum	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	Magill	Solberg
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker.	Nelson, Sargent	Treffry

Messrs.	Messrs.	Messrs.
Gessner	Niewoehner	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Ritter	Semerad
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Knudson, Steele
Beggs	Holthusen	LaBerge
Black		

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

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation 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, 102; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Akland	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Benno	Jones	Rait
Biberdorf	Jury	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Knutson, LaMoure	Saumur
Blair	Krank	Savre
Brown	Kraus	Schauss
Brusseau	LaBerge	Schimke
Burgum	Langford	Seibel
Caddell	Leum	Semerad
Dalzell	Levin	Severson
Day	Livingston	Shure, Cass
Dittmer	McInnes	Shurr, Bottineau
Dullea	McIntee	Solberg

Messrs.	Messrs.	Messrs.
Fitch	Magill	Sticka
Frazier	Morland	Stray
Freitag	Morris	Symington
Frey	Myers	Thompson
Frosaker	Niewoehner	Thoreson
Gessner	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Hultstrand	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hofstrand	Page	Tweten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Beggs	Johnson
Beasley	Black	Knudson, Steele
Beaton	Byrne	

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

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck North Dakota.  
February 9, 1937.

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

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that the vote by which House Bill No. 165 was indefinitely postponed be reconsidered, which motion prevailed.

Mr. Twichell moved that House Bill No. 165 be re-referred to the Committee on State Affairs, which motion prevailed.

Mr. Graham requested an extension of time on House Bill No. 125, which extension was granted.

Mr. Jensen requested an extension of time on House Bill No. 56, which extension was granted.

## COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Orville Wold, Richland; Mrs. Frank Haines, Stanley; Mrs. C. C. Larsen, Bismarck; Howard Stone, Mrs. W. W. Trefry, New Rockford; Mrs. L. L. Rudrud, Grand Forks; J. W. Grund, Harvey; Edith Dunbar, Turtle Lake; Fred Petehell, Selfridge; Andrew Johnstone, Watford City; A. M. Aruk, Minot; Matt Crowley, Golden Valley; M. C. Erickson, Williston; Jacob Bettnes, Lehr.

Mr. Wolf moved that the House recess until 1:00 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-SIXTH DAY AFTER RECESS AND  
THIRTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

The House convened at 1:00 p. m., pursuant to recess, Speaker Dahl presiding.

GENERAL ORDERS

Mr. Savre moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Savre to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 93. A Bill for an Act Making an Appropriation for the Purpose of Conducting Grain Festivals or Exhibitions to Advertise the Products and Resources of the State.

And recommend that the same be indefinitely postponed.

Aso,

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof as follows:

For an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Install-



ments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1.** The Board of County Commissioners where real estate taxes are delinquent may permit any person owning real property upon which taxes are delinquent prior to December 1, 1936, to pay the delinquent taxes assessed against his property, exclusive of interest and penalty in six annual installments. With interest at four per cent (4%) per annum, payable on or before October 15 of each year, ten percent (10%) of the adjusted principal to be paid each year for two successive years and twenty percent (20%) of the adjusted principal every year thereafter until the full amount of the adjusted principal with interest at four per cent (4%) is fully paid.

**SECTION 2.** It shall be the duty of the Board of County Commissioners to require the owner of the property upon which there is delinquent taxes due and payable to enter into a contract with the Board of County Commissioners wherein the owner agrees to pay the full amount of the adjusted principal with interest at four per cent (4%) per annum from the date of the adjustment.

**SECTION 3.** Board of County Commissioners shall require the payment in full of all taxes to become due and payable against said real property subsequent to November 1, 1936, before any adjustment shall be made.

**SECTION 4.** All proceedings as by law required for the collection of the taxes due thereon shall be suspended so long as the owner shall continue the payments as herein provided. Upon the failure to make one or more payments when due, the proper officers of the county may proceed to collect all of the delinquent taxes due and payable thereon with penalty and interest as though no adjustment had been made, and the county may also enforce the provisions of the contract by a civil action in the proper courts of the state.

**SECTION 5. AN EMERGENCY.)** Whereas it is necessary to provide a method for distressed property owners to pay their taxes, this act is hereby declared 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.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Spe-

cial State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend the adoption of the Standing Committees' amendments as follows:

In the title, line 4 after the word "Insurance" strike out the balance of that line and all of line 5.

On original bill, page 2, Section 5, line 2, strike out the words "consists of all crops" and insert in lieu thereof "be limited to rye, wheat, speltz, barley, oats, flax, corn, buckwheat, millet, cane and potatoes."

On page 3, Section 6, line 1, strike out the words "Flax tax and".

Beginning with the word "There," strike out all of the section down to line 11 including the word "tax".

On line 12 strike out the word "further".

Line 22 in same section after the word "year" strike out the balance of the section.

On page 4, Section 7, line 27, strike out the words "flat tax and".

On page 5, line 4, in the same section strike out the words "and flat".

On page 9, Section 12, line 14, after the word "withdrawal" insert the following: "Provided, however, that upon any such withdrawal made after June 5, 15% of current indemnity tax shall be charged and collected in the same manner as is now provided for the collection of the regular Hail Indemnity Tax."

On page 10, Section 12, line 21, strike out "5th" and insert in lieu thereof "20th".

On page 19, Section 29, line 8, after the word "act" insert the following: "Provided that special policies may be written on potatoes, and the amount of indemnity thereunder for total loss shall be eighteen dollars (\$18.00) per acre. Such special policy shall be in addition to the regular policy on potatoes."

And when so amended recommend the same do pass.

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

And recommend the adoption of the Standing Committee's amendments as follows:

In the heading of the Bill, strike out "RECOMMENDED BY THE NORTH DAKOTA EDUCATION ASSOCIATION."

At the end of the title of the Bill, after the word "only," strike out the period and insert a semicolon and add the words: "REPEAL, AND DECLARING AN EMERGENCY."

In Section 2, after the figure "2," insert the word "REPEAL.)"

ADD: "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.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1178 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Teachers, How Employed, and their Salaries.

And recommend that the same be indefinitely postponed.

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzene and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out all of Section 1, beginning with the word "having" at the end of line 5 of the printed bill and to and including the word "shall" and the comma (,) at the beginning of line 9, and insert in lieu thereof the following: "without such tanks being properly diked". In said line 9, after the word "when" and ahead of the word "deemed" insert the words "such diking is" and after the word "necessary" and ahead of the word "by" line 9 insert the words "and required and ordered".

On page 2, line 12, Section 1, change the comma (,) following the word "located" to a period (.) and strike out the balance of lines 12 and 13 in Section 1.

And when so amended recommend the same do pass.

Also,

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

And recommend the adoption of the following amendments:

Amend the title to read as follows:

"For an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done If at a Cost Not in Excess of \$2,500; Making an Appropriation; and Declaring an Emergency.

Strike out all of the bill after the title and down to the Enacting Clause.

Rewrite Section 1, to read as follows:

SECTION 1. The Board of Administration is hereby authorized and required to proceed to engage expert engineers for the purpose of determining what can be done to remedy the poor hearing qualities of the House Chamber, either thru wiring the same, the installation of microphones and amplifiers, or other method; and if upon the report, estimate of cost and recommendation of such engineers; it is the opinion of the board that the chamber can be made so that one speaking from any point in the chamber can be heard any place therein with the installation recommended, at a cost not in excess of Two Thousand Five Hundred (\$2,500.00) dollars, and without injury to the architectural beauties of the chamber, shall procure expert plans for such installation and proceed to remedy the present condition.

Amend Section 2 as follows:

In line 2 of said Section 2, after the word "empowered" and ahead of the word "to" insert the following; "to let a contract for the entire project, or".

In line 3 strike out the following "to contract,"

Amend Section 3 by striking out "\$5,000.00" and inserting in lieu thereof "\$2,500.00".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the absent members be excused, which motion prevailed.

Mr. Ritter moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### THIRTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. G. Adolph Johns of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Burgum, Byrne and Frosaker.

So a quorum was declared present.

## SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the courtesies of the floor be extended to the Nonpartisan Federation of Women's Clubs, which motion prevailed.

Mr. Fitch moved that the courtesies of the floor be extended to S. J. Schneider and F. V. Archibald of Fargo, which motion prevailed.

Mr. Knudson of Steele moved that the courtesies of the floor be extended to Mr. C. F. Carlson, former Representative from Steele County, which motion prevailed.

## REFERENCE TO THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 35th day after recess and 36th day and recommend the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

The Clerk read a message from the Governor.

Mr. Godwin moved that the message from the Governor be printed in the Journal, which motion prevailed.

## MESSAGE FROM THE GOVERNOR

## OFFICE OF THE GOVERNOR

Bismarck

February 9th, 1937.

To the Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Gentlemen:

I herewith return Senate Bill 38, without my approval.

This bill is an appropriation in the sum of \$10,085.00 to pay salary, clerk hire, travel and general expense of the office of the Veterans' Service Commissioner, as prescribed by Chapter 281 of the Session Laws of North Dakota for the year 1927 and Chapter 74, Laws of 1929.

Said Chapter 281 of the Session Laws of 1927 provides that the Veterans' Service Commissioner shall be appointed by the Governor from a list of five men, furnished by the State Executive Committee of the American Legion, and to all practical purposes makes this an American Legion bill to the exclusion of the United Spanish American War Veterans, the Veterans of Foreign Wars of the United States,

the National Guard of the State of North Dakota and the Disabled Veterans of the World War.

In spite of the barrage of letters and telegrams seemingly inspired by interested persons, together with two letters threatening political reprisals unless I sign this measure, I cannot conscientiously do so.

The American Legion has permitted a few men to speak for it, who have betrayed the fine, high ideals of that organization. The records show that these few individuals wrongfully assisted in the misappropriation of \$1,180.43 about the 20th day of September, 1935, from the funds of the National Guard, and used that money to finance a trip of the American Legion band to St. Louis, Missouri.

Not satisfied with wrongfully misappropriating this money, they got \$250.00 on the 21st day of September, 1935, from the State Mill and Elevator, to send the American Legion band to St. Louis, Missouri.

Not satisfied with misappropriating this money, they secured on the 18th day of September, 1936, for the purpose of sending the Grand Forks American Legion drum corps to Cincinnati, Ohio, the sum of \$750.00 more from the Mill and Elevator at Grand Forks.

These actions are all the more reprehensible because only four years ago I as Governor told these same men that the taking of money from the National Guard fund and from the Mill and Elevator was illegal, and personally assisted in raising \$1,500.00 in subscriptions from private individuals to pay the expenses of the American Legion band.

Because of the actions of these few men the Industrial Commission some two weeks ago instructed its legal department to institute suit against the former Acting Governor and others in charge of the National Guard and Mill and Elevator funds, to recover this \$2,180.43, and to include the State Bonding Fund in these suits.

If the Legislature will amend and re-enact this measure, including Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929, and provide that the Veterans' Service Commissioner shall be appointed by the Governor of the State of North Dakota from one of three veterans selected by the Department Commander of the United Spanish War Veterans, Department of North Dakota; Department Commander of the Veterans of Foreign Wars of the United States, Department of North Dakota; the Department Commander of the American Legion, Department of North Dakota; the Department Commander of Disabled Veterans of the World War, Department of North Dakota, and the Adjutant General of the State of North Dakota, or a majority thereof, I shall be glad to approve the measure.

Yours very truly,

WILLIAM LANGER,  
Governor.

WL:JEB

The Clerk read a communication signed by one hundred and three signers from McIntosh County, protesting against an excessive hail tax. Referred to Committee on Insurance.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

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

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-

enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Also,



Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 7971, Compiled Laws of 1913, Relating to Actions of quo warranto Against Usurping Officers and Others.

Also,

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 4. 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.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

HOUSE CONCURRENT RESOLUTION "K", Taxation of Property. Concurrent Resolution for Amendment of Section 176 of the Constitution of the State of North Dakota, Relating to Levying of Taxes upon Property.

Also,

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Also,

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRED J. SHURR,  
Chairman.

Mr. Rait moved that the report be adopted.

Mr. Williams offered as a substitute motion that House Bill No. 33 be recommended for passage.

The question being on the motion of Mr. Williams, a division was called for and the motion was lost.

The question now being on Mr. Rait's motion that the report be adopted and that House Bill No. 33 be indefinitely postponed, a division was called for and the motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 50. A Bill for an Act Relating to the Repossessing of Property Sold Under Conditional Sales Contract or Contracts Reserving Title in the Seller; Requiring Service of Notice of Intention to Repossess; Fixing Terms Under Which Possession May Be Taken; Limiting the Right of the Seller; Authorizing District Judges to Make Orders With Reference Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was referred:

House Bill No. 63 A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226

of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

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

In Section 2, line 14, of the original bill, after the word "furnished" insert the following: "Such cost and price so fixed shall not exceed the price and cost as provided for in the Franklin Printing Catalogue, less 10 per cent."

And when so amended recommend the same do pass.

ROBERT GREISER,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 67. A Bill for an Act to Regulate the Employment of Teachers in Public Schools of the State of North Dakota and in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged from Their Positions; Providing for Probationary Periods; Providing for Hearing and Appeal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUS A. SCHAUSS,  
Chairman.

Mr. Thoresen moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 99. A Bill for an Act Authorizing, Directing and Empowering the Bank of North Dakota, as the Fiscal Agent of the State of North Dakota, to Sell Lands Acquired Through Mortgage Foreclosures, Fixing Terms Upon Which Such Sales Shall Be Made; Directing Sale Under Certain Conditions; Permitting Former Owners and Others to Petition for Sale; Requiring Land to Be Appraised; Fixing Minimum to Be Paid Annually; Fixing Rate of Interest and Authorizing the Bank of North Dakota to Prescribe Forms of Contract.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted.

Mr. Ritter offered as a substitute motion that House Bill No. 99 be recommended for passage, which motion lost.

The question being on Mr. Holthusen's motion that the report be adopted and House Bill No. 99 be indefinitely postponed, the motion prevailed and House Bill No. 99 was indefinitely postponed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

In the printed bill, page 1, Section 1, line 9, strike out the word "immediately".

And when so amended recommend the same do pass, without any further recommendation.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

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

At the end of the title strike out the period and insert in lieu thereof a semicolon and add the following: "And declaring an emergency."

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

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

At the end of the title, strike out the period (.) and insert in lieu thereof a semicolon (;), and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

On original bill on page 4, Section 5, line 7 which is line 6, page 6, in printed bill, strike out the word "authorized" and insert in lieu thereof "directed and required".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was referred:

House Bill No. 132. A Bill for an Act to Repeal Sections 57a1 and 57a2 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Requiring Union Label on Public Printing and Providing Penalty for Omitting the Same.

Have had the same under consideration and recommend that the same do pass.

Representative Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

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

At the end of the title, strike out the period and insert in lieu thereof a semicolon and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

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

At the end of the title, strike out the period and insert in lieu thereof a semicolon and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

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

In line 33 of the printed bill, insert "two years" instead of "one year," in line 34 and after the word "operative" strike out the period, add a comma and insert the following language, "and that one-half of such amount shall be accumulated within one year."

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

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



Strike out all of line 7 and line 8 down to the period following the word "act" and insert in lieu thereof the following: "the first violation thereof and a penalty of one thousand (\$1,000.00) dollars for each subsequent violation or failure to observe and comply with any of the provisions of this Act."

On page 2, line 15, strike out the word "revoke" and insert in lieu thereof the word "suspended."

On page 2, line 16, strike out the word "revocation" and insert in lieu thereof the word "suspension"; and in said line 16, strike out the words, "for at least one year from" and insert in lieu thereof, "until said fine or fines are paid."

Strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and strike out the words "business in this state" in line 26.

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

On original bill, after the title, beginning with the word "whereas", strike out all down to the Enacting Clause and the word "Therefore" in the Enacting Clause.

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 186. A Bill for an Act Amending and Re-enacting Sections 4, 7 and 8 of Chapter 91 of the 1935 Session Laws of North Dakota, Relating to the Creating of a State Athletic Commission; Prescribing Its Powers and Duties; Providing Penalties for Violations and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Samuer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and In-

vestment by the State Treasurer, and Declaring an Emergency.

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

In the title of the original bill correct the spelling of "Insurance."

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipalities made the following report:

Mr. Speaker: Your Committee on Cities and Municipalities to whom was referred:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE B. STRAY,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 3. A Bill for an Act Prohibiting the Manufacture, Owning, Operating, Storing, Possessing, Selling, Renting, Leasing, Lending, Transporting, or in any Manner Handling or Exposing for Sale or Lease, any Slot Machine, Ball Machine, or Other Device; Defining the Duties of State's Attorneys, Peace Officers; Providing Penalties for the Violation of the Provisions of This Act; Continuing in Force Present Statutory Regulations Prohibiting or Regulating Slot Machines, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

Have had the same under consideration and recommend that the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 100. A Bill for an Act to Amend Section 3696a of the Supplement to the Compiled Laws of 1913, Relating to Liability of Municipalities for Injuries Caused by Accumulation of Frost, Snow, Ice or Sleet on Public Sidewalks, Crosswalks, Streets, Alleys or Other Public Ways and Exempting Municipalities from Liability for Injuries to Person or Property Occurring in Whole or in Part Upon State or National Highways Within Such Municipalities.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Mr. Wick moved that the report be adopted, which motion prevailed and the report was adopted.

OLE B. STRAY,  
Chairman.

#### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION "U"

Introduced by Messrs. Ritter and Greiser

Urging Congress to raise the tariffs on imports of farm commodities at least fifty percent.

Was read and referred to the Committee on State Affairs.

#### HOUSE CONCURRENT RESOLUTION "V"

Introduced by Representative Traynor

Was read by the Clerk.

Mr. Twichell moved that House Concurrent Resolution "V" be adopted, which motion prevailed and the Resolution was adopted.

Mr. Page moved that House Concurrent Resolution "V" be printed in the Journal, which motion prevailed.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:**

WHEREAS, the United States and Canada negotiated a treaty in the year 1932, providing for the joint construction of the St. Lawrence Seaway, which treaty has been ever since, and is now, awaiting ratification by the United States Senate; and

WHEREAS, the early completion of this great international waterway project is necessary, not only to establish equality in transportation costs between seaboard states and mid-western and northwestern states, but, also to restore prosperity to the entire Northwest, including North Dakota; and

WHEREAS, the President of the United States has repeatedly approved the St. Lawrence Seaway Project and has recommended the ratification of said treaty at a previous session of Congress:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives, the Senate concurring, that the President of the United States is hereby memorialized to re-submit said treaty to the United States Senate for ratification at the present session of Congress, and that the Senate of the United States is hereby urged to ratify said treaty at the earliest possible time, to the end that the necessary enabling legislation, for the completion of this waterway project, may be adopted by this Congress; and

BE IT FURTHER RESOLVED, that copies of this Resolution be transmitted to the President of the United States, to the President of the Senate, and to each member of Congress and the Senators from North Dakota.

HOUSE CONCURRENT RESOLUTION "W" was introduced and referred to the State Affairs Committee.

**FIRST READING OF HOUSE BILLS**

Mr. Thompson (by request) introduced:

House Bill No. 237. A Bill for an Act Providing for a Crop Lien to Secure Payment of Tractor Fuel and Lubricating Oils Actually Used in the Production of the Crop and to Provide a Method of Securing the Same.

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

Mr. Thompson (by request) introduced:

House Bill No. 238. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life, Accident and Health Insurance Agents Who Are Residents of Another State.

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

Messrs. Krank, Sticka and Bjornson introduced:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

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

Messrs. Odegard and Levin introduced:

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

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

Mr. Frazier introduced:

House Bill No. 241. A Bill for an Act Relating to the Publication of Report of Expenditures of All Governing Boards of Towns and Cities in the State.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Mr. Sand (by Request) introduced:

House Bill No. 242. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935 Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

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

Mr. Ireland introduced:

House Bill No. 243. A Bill for an Act to Amend and Re-enact Sections 368a1, 368a2 and 368a4 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 191 of the 1933 Session Laws; and 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 Ways and Means.

Messrs. Magill and Severson (by request) introduced:

House Bill No. 244. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident Licenses; Cost; How Issued; Applications, Forms; Game and Fish Shipment, and Declaring an Emergency.

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

Messrs. Magill and Severson introduced:

House Bill No. 245. A Bill for an Act Providing for the Creation of a Special Game Conservation Fund and Providing for the Distribution Thereof.

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

Messrs. Ritter and Greiser introduced:

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

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

Messrs. Langford and Caddell introduced:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

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

Messrs. Frosaker and Benno introduced:

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

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

Messrs. Ritter, Greiser and Wolf introduced:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

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

Messrs. Traynor and Shure introduced:

House Bill No. 251. A Bill for an Act Providing for the Establishment of a North Dakota Mill and Elevator Commission, Defining Its Powers and Duties, in Respect to the Management, Operation and Control of the State Mill and Elevator Association Located at Grand Forks, North Dakota, and Repealing All Acts and Parts of Acts in Conflict Therewith.

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

Mr. Peterson of Renville (by request) introduced:

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

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

Mr. Frazier introduced:

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

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

## SECOND READING OF HOUSE BILLS

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Was read the second time.

Mr. Traynor asked unanimous consent to amend the original bill by inserting therein the word "Section" before the figure "1" in line 1 of Section 1, and also before the figure "2" in line 1 of Section 2, and by correcting the spelling of the word "sponsored" in line 4 of Section 1, which unanimous consent was granted.



Mr. Traynor moved that the rules be suspended, and that House Bill No. 179 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, 83; nays, 16; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Olson, Bowman
Anfinson	Holthusen	Olson, Sargent
Beasley	Ireland	Page
Benno	Jensen	Peterson, Renville
Biberdorf	Johnson	Peterson, Richland
Bieloh	Jones	Pewe
Billigmeier	Jury	Sand
Black	Just	Sandness
Blair	Kapaun	Saumur
Brown	Knudson, Steele	Savre
Brusseau	Kraus	Severson
Caddell	LaBerge	Shure, Cass
Dalzell	Langford	Shurr, Bottineau
Day	Leum	Solberg
Dittmer	Levin	Stray
Dullea	Livingston	Symington
Fitch	McInnes	Thompson
Freitag	McIntee	Thoreson
Frey	Morland	Traynor
Frosaker	Morris	Trydahl
Gessner	Niewoehner	Tweten
Goodlaxon	Nelson, Cass	Twichell
Graham	Nelson, Sargent	Urschel
Greiser	Norheim	Wendland
Hagen	Obach	White
Haines	O'Brien	Wick
Hofstrand	Odegard	Williams
Holm	Oglesby	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Olson, Adams	Schimke
Frazier	Olson, McLean	Semerad
Hultstrand	Peterson, Bot'neau	Sticka
Knutson, LaMoure	Rait	Treffry
Magill	Schauss	Mr. Speaker
Myers		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Ritter
Beaton	Gilberg	Seibel
Beggs	Godwin	Tuff
Bjornson	Huseby	Wolf
Burgum	Krank	

So the bill passed and the title was agreed to.

Mr. Traynor moved that the vote by which House Bill No. 179 was passed be reconsidered and the motion to reconsider be laid on the table.

A division of the House was called for and the motion prevailed.

#### EXPLANATION OF VOTES

Mr. Adam: I am a member of the appropriation committee and if this bill becomes a law, we may get another bill to enlarge the jails and penitentiary and we are criticized already that we spend too much money.

Mr. Frazier: I don't think there is anybody chiseling any more than the officers distributing the relief, therefore I vote "no."

Mr. Knutson of LaMoure: I vote "no" on this bill because it does not take in enough. It does not take in the members of the Welfare Board, the investigator of the Welfare Board. These officers should be prosecuted the same as the rest of them. Therefore, I vote "no."

Mr. Magill: I am voting "no" on this bill. I think it leaves its scope entirely too much up in the air. It is only human that a prosecutor try to get the maximum penalty, and I think that the very severity of the punishment required in the Act is going to cause the people more harm than good and defeat its purpose.

Mr. Myers: I would be in favor of a bill along this line, but the penalty is too severe. I think you would have a hard time collecting a \$500 fine from a man on relief. Therefore, I vote "no."

Mr. Semerad: I vote "no" for the same reason as a lot of these fellows—because a fellow getting a \$5.00 bill and using it for some purpose or to buy a better car or something like that is criticized, and the guy that spends it in the beer parlor gets by.

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Was read the second time.

Mr. Twichell moved that further consideration of House Bill No. 167 be indefinitely postponed.

Mr. Twichell moved the previous question, which motion prevailed.

The question being on Mr. Twichell's motion that further consideration of House Bill No. 167 be indefinitely postponed, the motion was lost.

Mr. Twichell asked unanimous consent to amend the bill by inserting at the end of line 4, on page 2, after the figures

"(\$1,424.78)", the following language "or so much thereof as is necessary", which unanimous consent was granted and the bill was so amended.

Mr. Wolf moved that the rules be suspended, and that House Bill No. 167 be considered properly re-engrossed and placed on 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, 46; nays, 54; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Ritter
Anfinson	Huseby	Sand
Beggs	Jensen	Schimke
Biberdorf	Knutson, LaMoure	Seibel
Bieloh	Levin	Semerad
Billigmeier	Livingston	Shurr, Bottineau
Bjornson	McIntee	Sticka
Brusseau	Myers	Thoreson
Caddell	Obach	Treffry
Frazier	Odegard	Tweten
Freitag	Olson, Adams	Urschel
Goodlaxon	Olson, McLean	White
Greiser	Peterson, Bot'neau	Wick
Hagen	Pewe	Wolf
Haines	Rait	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Olson, Sargent
Benno	Jury	Page
Black	Just	Peterson, Renville
Blair	Kapaun	Peterson, Richland
Brown	Knudson, Steele	Sandness
Dalzell	Kraus	Saumur
Day	Langford	Schauss
Dittmer	Leum	Severson
Dullea	McInnes	Shure, Cass
Fitch	Magill	Solberg
Frey	Morland	Stray
Gessner	Morris	Symington
Gilberg	Niewoehner	Thompson
Graham	Nelson, Cass	Traynor
Holm	Nelson, Sargent	Trydahl
Holthusen	O'Brien	Twichell
Ireland	Oglesby	Wendland
Johnson	Olson, Bowman	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Frosaker	LaBerge
Anderson	Godwin	Norheim

Messrs.	Messrs.	Messrs.
Beaton	Hofstrand	Savre
Burgum	Krank	Tuff
Byrne		

So the bill was lost.

Mr. Schauss changed his vote from "aye" to "no" for the purpose of reconsideration.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that action on House Bill No. 166 be deferred one legislative day, which motion prevailed.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

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, 79; nays, 15; absent and not voting 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Oglesby
Akland	Huseby	Olson, Adams
Anfinson	Ireland	Olson, Bowman
Beggs	Jensen	Olson, McLean
Benno	Johnson	Peterson, Bot'neau
Biberdorf	Jones	Peterson, Richland
Bieloh	Jury	Pewe
Billigmeier	Just	Rait
Bjornson	Kapaun	Ritter
Black	Knudson, Steele	Sand
Brown	Knutson, LaMoure	Sandness
Brusseau	Kraus	Savre
Caddell	Langford	Schauss
Dalzell	Leum	Seibel
Day	Levin	Semerad
Dittmer	Livingston	Severson
Dullea	McInnes	Shurr, Bottineau
Fitch	McIntee	Solberg
Frazier	Magill	Symington
Freitag	Morland	Thompson
Gilberg	Myers	Thoreson
Goodlaxon	Niewoehner	Treffry
Graham	Nelson, Sargent	Tweten
Greiser	Obach	Wendland
Hofstrand	O'Brien	Williams
Holm	Odegard	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Nelson, Cass	Shure, Cass
Blair	Norheim	Trydahl
Frey	Olson, Sargent	Twichell
Holthusen	Page	Wick
Morris	Saumur	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Sticka
Beaton	Haines	Stray
Burgum	Krank	Traynor
Byrne	LaBerge	Tuff
Frosaker	Peterson, Renville	Urschel
Gessner	Schimke	White
Godwin		

So the bill passed and the title was agreed to.

Mr. Olson of Bowman moved that the vote by which House Bill No. 160 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "K".

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 74; nays, 23; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Peterson, Bot'neau
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Ritter
Benno	Jensen	Sandness
Biberdorf	Just	Savre
Bieloh	Jury	Schauss
Billigmeier	Kapaun	Schimke
Bjornson	Knutson, LaMoure	Seibel
Black	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shurr, Bottineau
Caddell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Thompson
Frazier	Morland	Thoreson
Freitag	Myers	Treffry
Frosaker	Nelson, Sargent	Tweten
Gilberg	Obach	White

Messrs.	Messrs.	Messrs.
Goodlaxon	O'Brien	Wick
Graham	Odegard	Williams
Greiser	Oglesby	Wolf
Haines	Olson, Adams	Mr. Speaker
Hofstrand	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Morris	Saumur
Dalzell	Niewoehner	Shure, Cass
Dullea	Nelson, Cass	Symington
Frey	Norheim	Traynor
Holthusen	Olson, Sargent	Trydahl
Johnson	Page	Twichell
Jones	Peterson, Renville	Wendland
Magill	Sand	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Godwin	Levin
Beggs	Hagen	Peterson, Richland
Burgum	Knudson, Steele	Stray
Byrne	Krank	Tuff
Fitch	Kraus	Urschel
Gessner		

So the Resolution was adopted.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Which the Senate has amended as follows:

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 6, of Section 2 of the engrossed bill, strike out the word "permit" and insert in lieu thereof the word "license."

At the end of Section 1 following the period after the word

"state," add the following: "The Public Contractor's license as herein provided, shall not be required within the sixty (60) day period immediately following the taking effect of this Act, and the license fee required hereby to be paid by Public Contractors in the several classes for the balance of the calendar year 1937, shall be two-thirds of the amount of fee fixed hereby for an original license for such class for a calendar year."

On page 3, at the end of Section 4 of the engrossed bill, and immediately preceding Section 5, insert the following: "Any applicant refused a license by the Registrar shall have the right of appeal from such refusal, to the District Court of Burleigh County, North Dakota."

On page 3, in Section 5, lines 7, 8 and 9 of the engrossed bill, strike out the following language: "subject, however, to such pre-qualification requirements as imposed by the public body or bodies referred to in Section 1 (c) hereof."

Strike out the period in Section 5, line 3, of the engrossed bill, insert a semi-colon, and add the following language: "subject however, to such pre-qualifications requirements as imposed by the public body or bodies referred to in Section 1 (c) hereof."

In Section 6 of the engrossed bill, strike out the words and figures "sixty (60)" in the two places where they occur in said Section 6, and insert in lieu thereof the words and figures "thirty (30)."

And when so amended, recommend that the same do pass.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Twichell moved that the House concur in the Senate amendments to House Bill No. 78, which motion prevailed.

Mr. Twichell moved that the rules be suspended, and that House Bill No. 78 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

#### ROLL CALL

The question being on the final passage of the bill, as

amended by the Senate, the roll was called and there were ayes, 85; nays, 8; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beaton	Huseby	Pewe
Beggs	Ireland	Rait
Benno	Johnson	Sand
Biberdorf	Jones	Sandness
Billigmeier	Jury	Saumur
Bjornson	Just	Savre
Black	LaBerge	Schauss
Blair	Langford	Seibel
Brown	Leum	Severson
Brusseau	Livingston	Shure, Cass
Caddell	Magill	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Symington
Dittmer	Morland	Thompson
Dullea	Morris	Thoreson
Fitch	Myers	Treffry
Freitag	Nelson, Cass	Trydahl
Frey	Nelson, Sargent	Twichell
Frosaker	Niewoehner	Urschel
Gessner	Norheim	Wendland
Gilberg	Obach	White
Goodlaxon	Odegard	Wick
Graham	Oglesby	Williams
Hagen	Olson, Sargent	Wolf
Haines	Page	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Semerad
Frazier	Kapaun	Twetén
Greiser	Ritter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Knutson, LaMoure	Olson, McLean
Beasley	Krank	Schimke
Burgum	Kraus	Sticka
Byrne	Levin	Stray
Godwin	O'Brien	Traynor
Holmquist	Olson, Adams	Tuff
Knudson, Steele	Olson, Bowman	

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

Mr. Fitch moved that the vote by which House Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



Mr. Frazier voted "no" for the purpose of reconsideration.

MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

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

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness, Valid and Legal, and Declaring an Emergency.

For reconsideration.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

HOUSE CONCURRENT RESOLUTION "T".

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

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

SENATE CONCURRENT RESOLUTION "M".

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

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

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## FIRST READING OF SENATE BILLS

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

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

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, 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.

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

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

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

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

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

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

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 7971, Compiled Laws of 1913, Relating to Actions of quo warranto Against Usurping Officers and Others.

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

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All

Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

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

#### FOURTH ORDER OF BUSINESS

The Clerk read a communication from the Union of All Workers of Fargo, North Dakota.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Mrs. Fred Propp, Washburn; Harold Helle, Williston; Mrs. C. T. Olson, Bowman; John H. Wishek, Ashley; C. R. Hasskarl, Fargo; Caroline Fisher, Fairview, Mont.; Erwin Seibel, Elgin; John Huston, Washburn; Ruth Huston, Washburn; E. M. Gillig, Fargo; Mrs. O. Odegard; Don A. Jacob, Bismarck; R. H. Dadel, Minot; C. T. Carlson, Hope; Martin Sperling, Napoleon; Gottlieb Worlet, Bismarck; K. C. Hathaway, Bismarck; Earl Armstrong, Bismarck; Chester Olson, Minot; Marian Fraser, Grafton; Oscar Redwing, Grand Forks; James B. McVeigh, Minot.

Mr. Schauss moved that the House recess to 12:45 p. m., tomorrow, which motion prevailed, and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-SEVENTH DAY AFTER RECESS AND  
THIRTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

The House convened at 12:45 p. m., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Schauss moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Mr. Schauss to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 63. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

And recommend the adoption of the Standing Committee's Amendments as follows:

In Section 2, line 14, of the original bill, after the word "furnished" insert the following: "Such cost and price so fixed shall not exceed the price and cost as provided for in the Franklin Printing Catalogue, less 10 per cent."

And the further amendments:

On page 1, Section 1, line 2 of the printed bill, after the

words "North Dakota" insert the following language: "As amended by Chapter 226 of the 1935 Session Laws".

In line 2 of the title change the semi-colon after the word "printing" to a comma.

In line 3 of the title after the word "Laws" strike out the semi-colon and insert a comma in lieu thereof.

In line 4 of the title after the figure "5" strike out the semi-colon.

And when so amended recommend the same do pass.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith:

And recommend that further action be deferred.

GUS A. SCHAUSS,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the absent members be excused, which motion prevailed.

Mr. Neiwoehner moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### THIRTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. G. Adolph Johns, Bismarck.

The roll was called, and all members were present except Representatives Anderson, Byrne, Godwin, Jones, Olson of Adams, Page, Sand and Twichell.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON CORRECTION AND REVISION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-sixth Day after Recess and Thirty-seventh Day and recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And find the same correctly Re-engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

Also,

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

Also,



House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also.

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Da-

kota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "G".

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

PETITIONS AND COMMUNICATIONS

The Clerk read a telegram signed by fifty-two citizens of Jamestown urging defeat of Senate Bill No. 3.

MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 78.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

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

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Also,

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a Penalty for the Violation of the Provisions Hereof.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Also,

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements

and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Also,

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Also,

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Were delivered to the Governor for his approval at the hour of 2:50 o'clock p. m., February 10, 1937.

CARL H. DITTMER,  
Chairman.

#### SEVENTH ORDER OF BUSINESS

Mr. Solberg moved that the House reconsider the action taken on House Bill No. 33.

Which motion prevailed.

Mr. Solberg moved that House Bill No. 33 be re-referred to committee, which motion prevailed and House Bill No. 33 was referred to the Committee on Public Safety.

Mr. Fitch moved that the action taken on House Bill No. 203 be reconsidered.

Which motion prevailed.

Mr. Fitch moved that the rules be suspended, and that House Bill No. 203 be considered properly re-engrossed and placed on the calendar for second reading and final passage.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Also,

House Bill No. 4. 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.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the vote by which House Bill No. 167 was lost be reconsidered.

Which motion prevailed.

Mr. Schauss moved that the rules be suspended and that House Bill No. 167 be considered properly re-engrossed and placed on the calendar for second reading and final passage.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 4. 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.

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932,

Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 120. A Bill for an Act for the Regulating of the Sale and Purchase of Alcohol and Alcoholic Beverages; Providing for the Licensing of Persons Desiring to Purchase Alcohol and Alcoholic Beverages; Providing for the Issuance of Such Licenses; the Form of and the Fees to be Paid Therefor; Declaring What Persons May Not Be Licensed, Prohibiting the Sale of Alcohol and Alcoholic Beverages to Unlicensed Purchasers; Providing for the Disposition of Such License Fees; Providing for the Punishment of Violations Hereof; Providing for the Revocation of Licenses; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OSCAR W. HAGEN,  
Chairman.

Mr. Hagen moved that the report be adopted.

Mr. Solberg offered as a substitute motion that House Bill No. 120 be re-referred to the Committee for amendment, which motion was lost.

The question being on the original motion of Mr. Hagen, the motion prevailed and House Bill No. 120 was indefinitely postponed.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways.

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, after the word "Highways" strike out the period and insert in lieu thereof a semi-colon (;) and insert the following: "Repealing all Acts or parts of Acts in conflict herewith and Declaring an Emergency."

On page 2, line 28 of the printed bill strike out the figures "25,000.00" and insert in lieu thereof the figures "10,000.00".

In line 30, page 2, strike out the figures "101,191.91" and insert in lieu thereof the figures "86,191.91".

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512 and 5514 and to Repeal Section 5513 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Strike out everything after the words "A Bill" and amend to read as follows:

"An Act to amend and re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the year 1913, relating to transfer of interests of real estate by corporations; repealing all Acts or parts of Acts in Conflict therewith and declaring an emergency.

"Be it enacted by the legislative assembly of the State of North Dakota:

Section 1. Amendment. That Section 5512 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

"Section 5512. BY-LAWS EMPOWERING OFFICERS AND OTHER PERSONS TO EXECUTE. Any foreign or domestic corporation may in its by-laws empower any one or more of its officers severally or conjointly to execute and acknowledge in its behalf conveyances, transfers, assignments, releases, satisfactions or other instruments affecting liens upon, titles to or interests in real estate; provided that a United States corporation that is an agency or an instrumen-

tality of the United States may in its by-laws empower anyone or more of its officers or anyone or more persons severally or conjointly to execute and acknowledge such instruments.

Section 2. Amendment. That Section 5513 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

“Section 5513. WHO EXECUTES IF NOT SO EMPOWERED. In the absence of any by-laws the president or secretary of any corporation, and the president, secretary, treasurer or cashier of any loan, trust or banking corporation may execute and acknowledge such instruments when authorized by resolution of the board of directors; provided that a United States Corporation that is an agency or an instrumentality of the United States may authorize by resolution of its board of directors anyone or more of its officers or anyone or more persons severally or conjointly to execute and acknowledge such instruments.

Section 3. Amendment. That Section 5514 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

“Section 5514. PRIOR INSTRUMENTS LEGALIZED. All instruments affecting liens upon, titles to, or interests in real estate heretofore executed and acknowledged in good faith by the treasurer or cashier in behalf of any loan, trust or banking corporation or by the regional treasurer of any United States Corporation are declared valid and effectual to the same extent as they would have been had the first and second Sections hereof been in force at the time of their execution.

Section 4. Amendment. That Section 5515 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

“Section 5515. Form of Corporation Signature. The signature of a corporation to any instrument mentioned in Sections 5512, and 5513 may be as follows:

.....(full name of corporation)  
By (some officer or other person authorized by resolution or the by-laws of the corporation to execute and acknowledge such instrument)

ATTEST: .....  
.....(official or other designation of person signing)  
(Seal)

“Section 5. Repeal.) All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

“Section 6. 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.  
VAL P. WOLF,  
Chairman.



Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who are Non-Residents or Corporations Other Than United States Corporations.

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

In line 5 of the title of the printed bill after the word "Corporations" strike out the period and insert in lieu thereof comma and the words "declaring an emergency."

In line 11 strike out the word "county" and insert in lieu thereof the word "State."

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. White moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 5 of the "Liquor Control Act" initiated by Petition and Enacted by the People of the State of North Dakota at the State-Wide General Election, Held on November 3, 1936.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OSCAR W. HAGEN,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highway and Bridges made the following report:

Mr. Speaker: Your Committee on Highway and Bridges to whom was referred:

House Bill No. 154. A Bill for an Act to Appropriate the Sum of One Hundred and Thirty Thousand Dollars (\$130,000.00) from any Moneys in the State Highway Department Fund for the Purpose of Aiding in the Construction of a

Bridge Across the Missouri River Between Sioux County and Emmons County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919, (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913), as Amended and Re-enacted by Chapter 161, Laws of 1927, at or Near the Point Commonly Known and Referred to as the "Cannonball Sounding" Heretofore Made; and Directing the State Highway Commission to Construct Such Bridge and Do All Necessary Preliminary Work; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

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

Section 1 in line 7 of the printed bill after the word "a" and before the word "bond" insert the word "surety."

In line 9 after the word "licensee" insert a period (.) and strike out the balance of line 9 and all of lines 10 and 11.

On page 2 line 6, Section 2 of the printed bill after the word "a" and before the word "bond" insert the word "surety."

In line 8 page 2 after the word "licensee" insert a period (.) and strike out the balance of line 8 and all of line 9.

And when so amended recommend the same do pass.

OSCAR W. HAGEN,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 182. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of That Certain Initiated Measure Approved by the People of North Dakota on June 29, 1932, Re-

ducing and Fixing Salaries of County Officials; Providing for Appointment of Certain Deputies, Clerks and Assistants, Fixing Their Salaries; for Payment of All Fees to County, Etc., Repealing Certain Acts in Conflict with Such Initiated Measure, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted.

Mr. Frazier offered as a substitute motion that House Bill No. 182 be placed in General Orders.

Which motion was lost.

The question being on Mr. Caddell's original motion that the committee report be adopted, the motion prevailed and House Bill No. 182 was indefinitely postponed.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 286, Session Laws 1935, to Include Sheriffs, Village Marshals and Constables as Employees within the Contemplation of the Workmen's Compensation Act.

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

In the title after the word "and" insert the word "county", and in line 13, Section 2, after the word "and" insert the word "county".

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted.

Mr. Twichell offered as a substitute motion that House Bill No. 208 be recommended for passage, which motion prevailed.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 213. A Bill for an Act Permitting Boards of County Commissioners in Certain Counties to Levy General Property Taxes for Poor Relief Purposes for the Years 1937 and 1938, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Akland moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "R". A Concurrent Resolution for Amendment and Re-enactment of Sections 25, as Amended by Article 26 of the Amendment to the Constitution, 26, 27, 28, 29, 30, 31, 45 and 56 of Article 2 of the Constitution of North Dakota and Providing a Legislature of One House and Repealing Sections 32, 33, 35, 36 and 51 of Article 2.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROB. GREISER,  
H. R. FREITAG,  
H. C. WILLIAMS,  
F. J. HAINES,  
ED. McINTEE,  
E. T. KNUTSON,  
GEORGE BJORNSON,  
OSCAR W. HAGEN,  
L. L. TWICHELL,  
VAL P. WOLF, Chairman.

Mr. Knutson of LaMoure moved that the report be adopted.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "R". A Concurrent Resolution for Amendment and Re-enactment of Sections 25, as Amended by Article 26 of the Amendment to the Constitution, 26, 27, 28, 29, 30, 31, 45 and 56 of Article 2 of the Constitution of North Dakota and providing a Legislature of One House and Repealing Sections 32, 33, 35, 36 and 51 of Article 2.

Have had the same under consideration and recommend that the same do pass.

L. R. BURGUM,  
GEO. H. SAUMUR,  
J. D. HOLTHUSEN.

Mr. Holthusen moved that the report of the minority be substituted for that of the majority.

The question being on Mr. Holthusen's motion that the report of the minority be substituted for the report of the majority, the motion was lost.

The question being on Mr. Knutson's motion that the report of the majority be adopted, the motion prevailed and House Concurrent Resolution "R" was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients, in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That

the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

On original bill page 1 section 1 line 9 which is page 2 line 9 in printed bill beginning with the words "Each County" strike out the balance of the section and insert in lieu thereof the following "The appropriation for which shall

be made by the legislature and included in other appropriations for the Institution for the feeble minded."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

On original bill, page 2, Section 1, line 10, which is page 3, line 36, in printed bill, strike out the whole sentence beginning with the words "The County" and ending with the word "inmates" and insert in lieu thereof the following "Twenty five (25) per cent of the expense for the care, board and treatment of such patients in the Tuberculosis Sanatorium shall be a charge upon the county sending such patients to the Sanatorium and the remaining seventy-five (75) % of such expense shall be a charge upon the state, the appropriation for which shall be made by the Legislature and included in other appropriations for the Tuberculosis Sanatorium.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 548a7, Supplement to the Compiled Laws of North Dakota for 1913, Relating to License Fees for Pool or Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatre or Moving Picture Shows, Taxicab or Auto Livery and Places Where Soft Drinks, Tobacco or Cigars Are Sold.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.

Have had the same under consideration and recommend the same do pass.

Chairman.  
VAL P. WOLF,

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 176. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, and Providing for the Creation of a Permanent Fund; Prescribing How Obtainable, Its Limits, Ownership, Uses, to Whom Obtainable and Other Procedure Thereunder, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE RESOLUTION "U"



Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted.

Mr. Godwin offered as a substitute motion that House Resolution "U" be adopted, which motion prevailed and the Resolution was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913 as Amended by Chapter 138 of the Laws of 1935.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 205. A Bill for an Act Directing the Sale or Lease of the State Mill and Elevator, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted.

Mr. Holthusen offered as a substitute motion that House Bill No. 205 be recommended for passage.

Mr. Ritter moved the previous question.

Which motion prevailed.

#### ROLL CALL

The question being on Mr. Holthusen's substitute motion that House Bill No. 205 be recommended for passage, a roll call was demanded and granted.

The roll was called and there were ayes, 23; nays, 84; absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Graham	Morris
Black	Holm	Nelson, Cass
Blair	Holthusen	O'Brien
Burgum	Johnson	Peterson, Renville
Day	Just	Peterson, Richland
Dittmer	Kapaun	Sandness
Dullea	LaBerge	Thompson
Gessner	Magill	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Sand
Akland	Knudson, Steele	Saumur
Anfinson	Knutson, LaMoure	Savre
Beaton	Krank	Schauss
Beggs	Kraus	Schimke
Benno	Langford	Seibel
Biberdorf	Leum	Semerad
Bieloh	Levin	Severson
Billigmeier	Livingston	Shure, Cass
Bjornson	McInnes	Shurr, Bottineau
Brown	McIntee	Solberg
Brusseau	Morland	Sticka
Caddell	Myers	Stray
Dalzell	Niewoehner	Symington
Fitch	Nelson, Sargent	Thoreson
Frazier	Norheim	Traynor
Freitag	Obach	Treffry
Godwin	Odegard	Trydahl
Goodlaxon	Oglesby	Tuff
Greiser	Olson, Adams	Twetén
Hagen	Olson, Bowman	Twichell
Haines	Olson, McLean	Urschel
Hofstrand	Olson, Sargent	Wendland
Holmquist	Page	White
Hultstrand	Peterson, Bot'neau	Wick
Huseby	Pewe	Williams
Ireland	Rait	Wolf
Jensen	Ritter	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Frey	Gilberg
Byrne	Frosaker	Jones

So the motion was declared lost.

Mr. Day offered as a substitute motion that House Bill No. 205 be re-referred to the committee for amendment.

Which motion was lost.

The question being on the original motion of Mr. Bjornson,

the motion prevailed, and House Bill No. 205 was indefinitely postponed.

Mr. Freitag moved that the vote by which House Bill No. 205 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House recess for ten minutes for the purpose of hearing Mr. A. D. McKinnon, which motion prevailed and the House recessed.

The House was called to order at 4:05 P. M., pursuant to recess, Speaker Dahl presiding.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment recommend the hiring of the following for enrolling and engrossing force:

Kathryn Misslin.

EDW. SAVRE,  
Chairman.

Mr. Savre moved the adoption of this report.

#### ROLL CALL

The question being on the election of Kathryn Misslin on the

enrolling and engrossing force, the roll was called and there were ayes, 82; nays, 9; absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Peterson, Renville
Akland	Just	Peterson, Richland
Anfinson	Kapaun	Pewe
Biberdorf	Krank	Ritter
Billigmeier	Kraus	Sandness
Blair	LaBerge	Saumur
Brown	Langford	Savre
Brusseau	Leum	Schauss
Caddell	Levin	Semerad
Day	Livingston	Severson
Dittmer	McInnes	Shurr, Bottineau
Dullea	McIntee	Sticka
Fitch	Magill	Symington
Freitag	Morland	Thompson
Frosaker	Morris	Thoreson
Gessner	Myers	Traynor
Gilberg	Niewoehner	Treffry
Godwin	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Tuff
Greiser	Norheim	Tweten
Hagen	Obach	Twichell
Haines	O'Brien	Urschel
Hofstrand	Odegard	Wendland
Holm	Olson, Adams	White
Holmquist	Olson, McLean	Wick
Holthusen	Olson, Sargent	Wolf
Huseby	Page	Mr. Speaker
Jensen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Knutson, LaMoure	Shure, Cass
Ireland	Oglesby	Solberg
Johnson	Rait	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Burgum	Knudson, Steele
Beasley	Byrne	Olson, Bowman
Beaton	Dalzell	Peterson, Bot'neau
Beggs	Frey	Sand
Benno	Graham	Schimke
Bieloh	Hultstrand	Seibel
Bjornson	Jones	Stray
Black		

So the motion prevailed and the nominee was declared duly elected.

## TWELFTH ORDER OF BUSINESS

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Which the Senate has amended as per re-engrossed bill.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 52.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 52 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anfinson	Holthusen	Page
Beasley	Hultstrand	Peterson, Bot'neau
Beaton	Huseby	Peterson, Renville
Beggs	Ireland	Peterson, Richland
Benno	Jensen	Pewe
Biberdorf	Johnson	Rait
Bieloh	Jury	Ritter
Billigmeier	Just	Sandness
Bjornson	Kapaun	Saumur
Black	Knutson, LaMoure	Savre
Blair	Krank	Schimke
Brown	Kraus	Seibel
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson

Messrs.	Messrs.	Messrs.
Caddell	Leum	Shure, Cass
Dalzell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	Magill	Sticka
Dullea	McInnes	Stray
Fitch	McIntee	Symington
Frazier	Morland	Thoreson
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Niewoehner	Urschel
Godwin	Norheim	Wendland
Goodlaxon	Obach	White
Greiser	O'Brien	Wick
Hagen	Odegard	Williams
Haines	Oglesby	Wolf
Hofstrand	Olson, Adams	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Knudson, Steele	Thompson
Byrne	Olson, Bowman	Traynor
Graham	Sand	Twichell
Jones	Schauss	

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

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 52.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915. Relating to County Mutual Insurance Companies.

Which the Senate has amended as follows:

In line 14 section 1 of the engrossed bill correct spelling of the word "extension."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 31.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended, and that House Bill No. 31 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Bjornson	Krank	Savre
Black	Kraus	Schauss
Blair	LaBerge	Schimke
Brown	Langford	Seibel
Brusseau	Leum	Semerad
Burgum	Livingston	Severson
Caddell	McInnes	Shurr, Bottineau
Dalzell	McIntee	Solberg
Day	Magill	Sticka
Dittmer	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Ireland	Shure, Cass
Byrne	Jones	Twichell



Messrs.	Messrs.	Messrs.
Dullea	Kapaun	Wolf
Graham	Levin	

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

#### MESSAGE TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 31.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF HOUSE BILLS

The Committee on Tax and Tax Laws introduced:

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Mr. Knutson of LaMoure introduced:

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

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

Mr. Caddell introduced:

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 3543 of the Supplement to the Compiled Laws of North Dakota for the Year 1913. Relating to the Appointment and Salary of Deputy Sheriffs.

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

Mr. Frazier introduced:

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

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

Mr. Fitch introduced:

House Bill No. 257. A Bill for an Act to Amend and Re-enact Section 454 of the Compiled Laws of North Dakota for 1913 Relating to Certified Copies of Record of Births or Deaths and Fees Therefor.

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

Mr. Fitch introduced:

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 437 of the Compiled Laws of North Dakota for 1913 Relating to Duties of Local Registrars, Sub-registrars.

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

Messrs Schauss and Just introduced:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sections 3, 5, 6, 7, 8, 9, 10, 11 and 12 and to Repeal Section 4 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of this Act", Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, as Amended by Chapter 97 of the Session Laws of 1935 and Chapter 98 of the Session Laws of 1935, Relating to the Manufacture and Sale of Beer, Providing a Saving Clause, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Messrs. Papaun, Frosaker and Schauss introduced:

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

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

Mr. Trydahl introduced:

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 214 of the North Dakota Session Laws of 1931.

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

Mr. Brusseau introduced:

House Bill No. 262. A Bill for an Act Relieving Owners of Motor Vehicles from all Liability for Damages Caused in the Driving, Operation, Management and Control of Such Vehicle Unless the Same Be Operated, Driven, Managed or Controlled by the Owner, or Unless the Owner Shall Be Personally Present in Such Motor Vehicle at the Time the Damage is Sustained. Declaring an Emergency.

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

Messrs. Brusseau and Page introduced:

House Bill No. 263. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to Stallion Registration Board; Transfer of Records and Property of Same; and Declaring an Emergency.

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

Messrs. Frey and Wolf introduced:

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half ( $N\frac{1}{2}$ ) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

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

Messrs. Graham, Knutson of LaMoure, Olson of Adams introduced:

House Bill No. 265. A Bill for an Act Providing for a a Thirty Hour Week and Minimum Wage for Common Labor When Employed by State or Municipal Governments or By Private Persons Paying for Such Labor with State or Federal Funds; Providing Penalty for Violation; Repealing 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.

Messrs. Hagen and Schauss introduced:

House Bill No. 266. A Bill for an Act to Curb the Theft of Livestock by Truck by Requiring Livestock Truckers to Have with the Load, Display Upon Demand of Proper Officer and File with the Sheriff of the County and the First Recipient of Such Livestock from the Trucker, a Certificate Giving Information Relative to Such Livestock.

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

The Committee on Delayed Bills introduced:

House Bill No. 267. A Bill for an Act Authorizing, Empowering and Directing the Industrial Commission, in Its Discretion, to Secure Plans, and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements for the Installation and Completion of a State Printing Plant at Such Place Within the State of North Dakota as May Seem Most Desirable; to Do All Things Necessary in Order to Fully Complete, Erect and Place in Operation Such Printing Plant; Providing for an Appropriation and Declaring an Emergency.

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

Mr. Godwin introduced:

House Bill No. 268. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Make Loans to Residents of North Dakota for the Purchase of Livestock Feed and for the Financing of Such Loans by the Commission and Providing for the Levy of a Tax to Retire Obligations Incurred Under the Provisions of This Act.

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

Messrs. Ritter and Greiser introduced:

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

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

Messrs. Kapaun, Saumur and Olson of Adams introduced:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and

Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Certain Chapters and Sections of Our Game and Fish Laws.

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

Messrs. Schauss and Burgum introduced:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

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

Messrs. Godwin and Livingston introduced:

House Bill No. 272. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws of the State of North Dakota, Relating to Hours of Employment of Municipal, School District, Library Board and Park Board Employees; Prohibiting More Than Eight Hours Per Day or Forty-eight Hours Work Per Week Labor, Except in Emergencies; Requiring Payment at One and One-half Times Normal Rate for Overtime; Exempting Regularly Elected Officer and Firemen; Providing Penalty for Violation; Repealing All Acts in Conflict and Declaring an Emergency.

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

Mr. Hagen introduced:

House Bill No. 273. A Bill for an Act to Amend and Re-enact Section 8205 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining the Private Property Which May Be Taken by Eminent Domain.

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

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

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

In the printed bill, page 1, Section 1, line 3, strike out the figures "\$385,012.55" and insert in lieu thereof the figures "\$400,000.00."

Page 1, line 10, strike out the figures "\$10,822.40" and insert in lieu thereof the figures "\$17,000.00."

Page 1, line 11, strike out the figures "\$15,456.32" and insert in lieu thereof the figures "\$18,000.00."

Page 2, line 12, strike out the figures "\$12,716.24" and insert in lieu thereof the figures "\$14,000.00."

Page 2, line 13, strike out the figures "\$6,728.00" and insert in lieu thereof the figures "\$5,500.00."

Page 2, line 14, strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$3,500.00."

Page 2, line 21, strike out the figures "\$69,407.20" and insert in lieu thereof the figures "\$63,183.00."

Page 2, line 22, strike out the figures "\$31,576.96" and insert in lieu thereof the figures "\$30,000.00."

Page 2, line 28, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$19,000.00."

Page 2, line 32, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00."

Page 2, line 33, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 36, strike out the figures "\$21,178.60" and insert in lieu thereof the figures "\$20,000.00."

Page 3, line 37, strike out the figures "\$60,000.00" and insert in lieu thereof the figures "\$62,500.00."

Page 3, line 38, strike out the figures "\$9,826.00" and insert in lieu thereof the figures "\$8,000.00."

Page 3, line 39, strike out the figures "\$50,000.00" and insert in lieu thereof the figures "\$40,000.00."

Page 3, line 40, strike out the figures "\$6,883.28" and insert in lieu thereof the figures "\$6,000.00."

Page 3, line 41, strike out the figures "\$35,000.00" and insert in lieu thereof the figures "\$27,500.00."

Page 3, line 43, strike out the figures "\$17,160.00" and insert in lieu thereof the figures "\$16,817.00."

Page 3, line 45, strike out the figures "\$692,659.60" and insert in lieu thereof the figures "\$671,404.60."

Page 3, line 48, strike out the figures "\$323,687.55" and insert in lieu thereof the figures "\$302,432.55."

Page 3, line 53, strike out the figures "\$5,673.00" and insert in lieu thereof the figures "\$5,186.90."

Page 3, line 55, strike out the figures "\$10,125.00" and insert in lieu thereof the figures "\$9,638.90."

Page 3, line 58, strike out the figures "\$6,125.00" and insert in lieu thereof the figures "\$5,638.90."

Page 4, line 61, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$2,500.00."

Page 4, line 69, insert the following words "Emergency Fund" and these figures "\$37,728.55."

Page 4, line 70, strike out the figures "\$385,012.55" and insert in lieu thereof the figures "\$400,000.00."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

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

On printed bill, line 3, page 1, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$102,341.00."

Page 2, line 13, insert the following words and figures "Additional Maintenance.....\$16,817.00."

Page 2, line 14, strike out the figures "\$243,182.58" and insert in lieu thereof the figures "\$259,999.58."

Page 2, line 16, insert the following words and figures "Net Maintenance, Main Station .....\$16,817.00"

Page 2, after the line "18" insert the new line "18½" and the following words and figures "New Swine Building .....\$8,858.00."

Page 2, after the line "19" insert the new line "19½" and the following words and figures "Swine and Sheep Investigation Projects .....\$8,107.00."

Page 2, line 26, insert the following words "Ice Cream Equipment."

Page 2, line 28, strike out the figures "\$55,559.00" and insert in lieu thereof the figures "\$89,341.00."

In page 3, line 37, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$102,341.00."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

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

In the printed bill, Section 1, page 1, line 3, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00."

Page 2, line 20, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

Page 2, line 23, strike out the figures "\$661,395.20" and insert in lieu thereof the figures "\$656,595.20."

Page 2, line 27, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative



Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

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

Very respectfully,

THOMAS McDONALD.  
Secretary.

### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION "X".

Introduced by Representatives Frazier, McIntee and Rait, Amending and re-enacting Section 154 of the Constitution of the State of North Dakota.

Was read and referred to the Committee on Education.

#### SECOND READING OF HOUSE BILLS

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of 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, the roll was called and there were ayes, 93; nays, 13; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Oglesby
Akland	Holm	Olson, Adams
Anfinson	Holmquist	Olson, Bowman
Beasley	Holthusen	Olson, McLean
Beaton	Hultstrand	Olson, Sargent
Beggs	Huseby	Page
Benno	Ireland	Peterson, Bot'neau
Biberdorf	Johnson	Peterson, Renville
Bieloh	Jury	Peterson, Richland
Billigmeier	Just	Pewe
Bjornson	Kapaun	Rait
Black	Knutson, LaMoure	Sand
Brown	Krank	Sandness
Brusseau	Kraus	Saumur
Burgum	LaBerge	Savre
Caddell	Langford	Schauss
Dalzell	Leum	Schimke
Day	Levin	Seibel
Dittmer	Livingston	Semerad

Messrs.	Messrs.	Messrs.
Dullea	McInnes	Shurr, Bottineau
Fitch	McIntee	Solberg
Frazier	Morland	Sticka
Freitag	Morris	Symington
Frey	Myers	Thompson
Frosaker	Nelson, Cass	Thoreson
Gilberg	Nelson, Sargent	Trydahl
Godwin	Niewoehner	Tuff
Goodlaxon	Norheim	Urschel
Graham	Obach	White
Greiser	O'Brien	Williams
Hagen	Odegard	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Ritter	Twetén
Gessner	Severson	Twichell
Hofstrand	Shure, Cass	Wendland
Jensen	Stray	Wick
Magill		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Knudson, Steele	Treffry
Byrne	Traynor	Wolf
Jones		

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

Mr. Godwin 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. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Was read the second time.

Mr. Levin moved the previous question, 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, 57; nays, 52; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Sand
Akland	Holmquist	Savre
Anfinson	Hultstrand	Schauss

Messrs.	Messrs.	Messrs.
Beaton	Huseby	Ritter
Beggs	Jensen	Schimke
Benno	Knutson, LaMoure	Seibel
Biberdorf	Krank	Semerad
Bieloh	Levin	Shurr, Bottineau
Billigmeier	Livingston	Sticka
Bjornson	McIntee	Thoreson
Brusseau	Myers	Treffry
Caddell	Niewoehner	Tuff
Frazier	Obach	Tweten
Freitag	Odegard	Urschel
Godwin	Olson, Adams	White
Goodlaxon	Olson, McLean	Wick
Greiser	Peterson, Bot'neau	Williams
Hagen	Pewe	Wolf
Haines	Rait	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jury	Olson, Bowman
Black	Just	Olson, Sargent
Blair	Kapaun	Page
Brown	Knudson, Steele	Peterson, Renville
Dalzell	Kraus	Peterson, Richland
Day	LaBerge	Sandness
Dittmer	Langford	Saumur
Dullea	Leum	Severson
Fitch	McInnes	Shure, Cass
Frey	Magill	Solberg
Frosaker	Morland	Stray
Gessner	Morris	Symington
Gilberg	Nelson, Cass	Thompson
Graham	Nelson, Sargent	Traynor
Holm	Norheim	Trydahl
Holthusen	O'Brien	Twichell
Ireland	Oglesby	Wendland
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Jones
Burgum		

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

Mr. Schauss moved that the vote by which House Bill No. 167 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Verification was asked for and granted.

House Bill No. 59. A Bill for an Act Providing for the

## Adjustment and Payments of Delinquent Taxes, 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, 99; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jury	Rait
Benno	Kapaun	Ritter
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schauss
Brown	LaBerge	Schimke
Brusseau	Langford	Seibel
Caddell	Leum	Semerad
Dalzell	Levin	Severson
Day	Livingston	Shure, Cass
Dittmer	McInnes	Shurr, Bottineau
Frazier	McIntee	Solberg
Freitag	Magill	Sticka
Frey	Morland	Stray
Frosaker	Morris	Symington
Gessner	Myers	Thompson
Gilberg	Niewoehner	Thoreson
Godwin	Nelson, Cass	Traynor
Goodlaxon	Nelson, Sargent	Treffry
Graham	Obach	Trydahl
Greiser	O'Brien	Tuff
Hagen	Odegard	Tweten
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, McLean	Wick
Holthusen	Olson, Sargent	Williams
Hultstrand	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Blair	Norheim
Black	Dullea	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Sand
Burgum	Jones	Wolf
Byrne	Just	

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

Mr. Godwin moved that House Bill No. 116 be moved to the foot of the calendar, which motion prevailed.

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

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, 101; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anfinson	Jensen	Rait
Beaton	Johnson	Ritter
Benno	Jury	Sandness
Biberdorf	Just	Saumur
Bieloh	Kapaun	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	Kraus	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Frazier	Morland	Thompson
Freitag	Myers	Thoreson
Frey	Niewoehner	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Nelson, Sargent	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker
Hultstrand	Peterson, Renville	

Those voting in the negative were:

Messrs.  
Beasley

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Morris
Beggs	Gilberg	Olson, Sargent
Burgum	Jones	Sand
Byrne	Knudson, Steele	

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

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

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, 65; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Just	Ritter
Beasley	Knudson, Steele	Saumur
Biberdorf	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Burgum	Kraus	Shurr, Bottineau
Day	McIntee	Sticka
Dullea	Magill	Thoreson
Frazier	Morris	Trydahl
Godwin	Myers	Tweten
Goodlaxon	Niewoehner	Twichell
Hagen	Nelson, Sargent	Urschel
Hofstrand	Obach	White
Holm	Peterson, Renville	Wolf
Huseby	Rait	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Anfinson	Holthusen	Page
Beaton	Hultstrand	Peterson, Bot'neau
Beggs	Ireland	Peterson, Richland
Benno	Jensen	Pewe
Bieloh	Johnson	Sandness
Billigmeier	Jury	Savre
Black	Kapaun	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Caddell	Levin	Solberg
Dalzell	Livingston	Stray
Dittmer	McInnes	Symington
Fitch	Morland	Thompson

Messrs.	Messrs.	Messrs.
Freitag	Nelson, Cass	Traynor
Frey	Norheim	Treffry
Frosaker	O'Brien	Wendland
Gessner	Odegard	Wick
Graham	Oglesby	Williams
Greiser	Olson, Adams	Mr. Speaker
Haines	Olson, Bowman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Sand
Byrne	Olson, Sargent	Tuff
Gilberg		

So the bill was lost.

Mr. Olson of Bowman moved that the vote by which House Bill No. 114 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

Mr. Twichell asked unanimous consent to amend the bill by striking out the semicolon following the word "engineers" in line 6, of Section 1, of the engrossed bill, which consent was granted.

Mr. Twichell moved that the rules be suspended, and that House Bill No. 98 be considered properly re-engrossed and placed on 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, 100; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beaton	Johnson	Ritter
Beggs	Jury	Sand

Messrs.	Messrs.	Messrs.
Benno	Just	Sandness
Biberdorf	Knudson, Steele	Savre
Billigmeier	Krank	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Severson
Brown	Leum	Shure, Cass
Brusseau	Levin	Shurr, Bottineau
Burgum	Livingston	Solberg
Caddell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Peterson, Richland
Dalzell	Page	Semerad
Holthussen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Knutson, LaMoure
Byrne	Kapaun	Saumur

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

Mr. Magill moved that the vote by which House Bill No. 98 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring



an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility 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, 98; nays, 5; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Ireland	Ritter
Benno	Johnson	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Krank	Schimke
Black	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Langford	Severson
Burgum	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Fitch	Morland	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Bowman	Wendland
Hagen	Olson, McLean	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Dullea	Morris
Blair	McInnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jones	Olson, Adams
Anderson	Jury	Schauss

Messrs.	Messrs.	Messrs.
Byrne	Knutson, LaMoure	White
Jensen		

So the bill passed and the title was agreed to.

House Bill No. 132. A Bill for an Act to Repeal Sections 57a1 and 57a2 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Requiring Union Label on Public Printing and Providing Penalty for Omitting the Same.

Was read the second time.

Mr. Fitch moved that further consideration of House Bill No. 132 be indefinitely postponed.

The question being on Mr. Fitch's motion, a division was called for, and the motion was lost.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 58; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Odegard
Akland	Holmquist	Page
Beasley	Jensen	Peterson, Renville
Beaton	Kapaun	Rait
Bieloh	Knudson, Steele	Ritter
Billigmeier	Langford	Savre
Bjornson	Leum	Schimke
Black	Levin	Seibel
Brown	McIntee	Semerad
Brusseau	Magill	Severson
Burgum	Morris	Stray
Caddell	Niewoehner	Symington
Dittmer	Nelson, Cass	Tuff
Dullea	Obach	Wolf
Frey	O'Brien	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anfinson	Huseby	Pewe
Beggs	Ireland	Sand
Benno	Johnson	Sandness
Biberdorf	Jury	Saumur
Blair	Just	Shure, Cass
Dalzell	Krank	Solberg
Day	Kraus	Sticka
Fitch	LaBerge	Thompson
Freitag	Livingston	Thoreson
Frosaker	McInnes	Traynor
Gilberg	Morland	Treffry
Godwin	Nelson, Sargent	Trydahl
Goodlaxon	Norheim	Twichell

Messrs.	Messrs.	Messrs.
Graham	Oglesby	Tweten
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	Wendland
Hofstrand	Olson, Sargent	White
Holm	Peterson, Bot'neau	Wick
Holthusen	Peterson, Richland	Williams
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Jones	Oison, Adams
Byrne	Knutson, LaMoure	Schauss
Frazier	Myers	Shurr, Bottineau
Gessner		

So the bill was lost.

Mr. Fitch moved that the vote my which House Bill No. 132 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hagen: I am voting "no" on this bill, because I understand there is a bill which is a good deal better and which takes care of the situation in a more satisfactory manner.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932; Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 4. 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.

Also,

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House be on the Eighth Order of Business, and that after the completion of such business the House recess until 7:30 p. m., which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Speaker administered the oath of office to Kathryn Misslin, as a member of the enrolling and engrossing force.

The House recessed.

#### AFTER RECESS

The House was called to order at 7:30 p. m., pursuant to recess, Speaker Dahl presiding.

#### SECOND READING OF HOUSE BILLS

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

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, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beaton	Jensen	Rait
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Knudson, Steele	Savre
Billigmeier	Knutson, LaMoure	Schimke
Bjornson	Krank	Seibel
Black	LaBerge	Semerad
Blair	Langford	Severson
Brown	Leum	Shure, Cass
Brusseau	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Magill	Symington

Messrs.	Messrs.	Messrs.
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Bowman	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Olson, Adams
Beasley	Johnson	Olson, McLean
Beggs	Jones	Ritter
Burgum	Kapaun	Saumur
Byrne	Kraus	Schauss
Gilberg	Nelson, Cass	Twichell
Godwin		

So the bill passed and the title was agreed to.

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership 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, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe
Beaton	Jury	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Blair	LaBerge	Seibel

Messrs.	Messrs.	Messrs.
Brusseau	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Solberg
Dullea	McIntee	Sticka
Fitch	Magill	Stray
Frazier	Morland	Symington
Freitag	Morris	Thompson
Frey	Myers	Thoreson
Frosaker	Niewoehner	Traynor
Gessner	Nelson, Sargent	Treffry
Goodlaxon	Norheim	Trydahl
Graham	Obach	Tuff
Greiser	O'Brien	Tweten
Hagen	Odegard	Twichell
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, McLean	Wick
Holthusen	Olson, Sargent	Wolf
Hultstrand	Page	Mr. Speaker

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Byrne	Jones
Beggs	Gilberg	Nelson, Cass
Brown	Godwin	Saumur
Burgum		

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

Mr. Williams: I think this bill is almost a thing of the past—branding is almost a thing of the past, and I think this is a very unnecessary appropriation to put into it.

Mr. Schauss moved that further consideration of House Bill No. 180 be indefinitely postponed.

The Speaker called Mr. Wolf to the chair.

Mr. Seibel moved the previous question, which motion was lost.

The question being on Mr. Schauss' motion that further consideration of House Bill No. 180 be indefinitely postponed, a roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Schauss' motion the roll was

called and there were ayes, 45; nays, 60; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Schauss
Akland	Knutson, LaMoure	Schimke
Anfinson	Levin	Seibel
Beggs	Livingston	Shurr, Bottineau
Biberdorf	McIntee	Solberg
Billigmeier	Myers	Thoreson
Bjornson	Obach	Treffry
Brusseau	Odegard	Tuff
Caddell	Olson, Adams	Tweten
Frazier	Olson, McLean	Urschel
Freitag	Peterson, Bot'neau	White
Hagen	Pewe	Wick
Hofstrand	Rait	Williams
Holmquist	Ritter	Wolf
Hultstrand	Savre	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	O'Brien
Beaton	Huseby	Oglesby
Benno	Jensen	Olson, Bowman
Bieloh	Johnson	Olson, Sargent
Black	Jury	Page
Blair	Just	Peterson, Renville
Brown	Kapaun	Peterson, Richland
Dalzell	Knudson, Steele	Sand
Day	Krank	Sandness
Dittmer	Kraus	Semerad
Dullea	LaBerge	Severson
Frey	Langford	Shure, Cass
Frosaker	Leum	Sticka
Gessner	McInnes	Stray
Gilberg	Magill	Symington
Goodlaxon	Morland	Thompson
Graham	Morris	Traynor
Greiser	Niewoehner	Trydahl
Haines	Nelson, Sargent	Twichell
Holm	Norheim	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Nelson, Cass
Burgum	Godwin	Saumur
Byrne	Jones	

So the motion was lost.

Mr. Frazier: I vote "aye" on this question, because the biggest chiselers I know in the Welfare outfit are those administering it, and not those receiving it.

Mr. Magill: I am voting "no" on this question because one

of the main criticisms of the relief setup has been on account of the chiselers. I want to give them some means of preventing that chiseling.

Mr. Morland: I vote "no" on this because, as I understand it, the Governor gave the Welfare Board a clean bill of health in a recent radio speech.

Mr. Sand: I vote "no" as I understand that the state will have to match federal relief funds, and that would put a different aspect on the situation.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare 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, 60; nays, 44; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Oglesby
Beaton	Holthusen	Olson, Bowman
Benno	Jensen	Olson, Sargent
Bieloh	Johnson	Page
Billigmeier	Jury	Peterson, Renville
Black	Just	Peterson, Richland
Blair	Kapaun	Sand
Brown	Knudson, Steele	Sandness
Day	Krank	Schauss
Dalzell	Kraus	Semerad
Dittmer	LaBerge	Severson
Dullea	Langford	Shure, Cass
Frey	Leum	Sticka
Frosaker	McInnes	Stray
Gessner	Magill	Symington
Gilberg	Morland	Thompson
Goodlaxon	Morris	Traynor
Graham	Niewoehner	Trydahl
Greiser	Norheim	Twichell
Haines	O'Brien	Wendland

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Schimke
Akland	Knutson, LaMoure	Seibel
Anfinson	Levin	Shurr, Bottineau
Beggs	Livingston	Solberg
Biberdorf	McIntee	Thoreson
Bjornson	Myers	Treffry
Brusseau	Obach	Tuff
Caddell	Odegard	Tweten
Frazier	Olson, Adams	Urschel



Messrs.	Messrs.	Messrs.
Freitag	Olson, McLean	White
Hagen	Peterson, Bot'neau	Wick
Hofstrand	Pewe	Williams
Holmquist	Rait	Wolf
Hultstrand	Ritter	Mr. Speaker
Huseby	Savre	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Fitch	Nelson, Cass
Burgum	Godwin	Nelson, Sargent
Byrne	Jones	Saumur

So the bill passed and the title was agreed to.

Mr. Schauss: I vote "aye" for the purpose of reconsideration.

Mr. Williams: I think if you have got to get the legislature to make children take care of their parents, the parents are not going to get very good care. I vote "no."

House Bill No. 186. A Bill for an Act Amending and Re-enacting Sections 4, 7 and 8 of Chapter 91 of the 1935 Session Laws of North Dakota, Relating to the Creating of a State Athletic Commission; Prescribing Its Powers and Duties; Providing Penalties for Violations and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. O'Brien moved that further consideration of House Bill No. 186 be indefinitely postponed.

Mr. Fitch offered as a substitute motion that action on House Bill No. 186 be deferred one legislative day, which motion prevailed.

Mr. Schauss moved that action on House Bill No. 166 be deferred one legislative day, which motion prevailed.

The Speaker resumed the chair.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

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

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Re-

sources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

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

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

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

Mr. Twichell moved that action on Senate Bill No. 86 be deferred one legislative day.

Which motion prevailed.

Mr. Schauss moved that the House resolve itself into a Committee of the Whole for the consideration of general orders.

Which motion prevailed.

The Speaker called Mr. Schauss to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the title strike out the period and insert in lieu thereof a semicolon and add the following: "And declaring an emergency."

And when so amended recommend the same do pass.

Also:

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the title, strike out the period (.) and insert

in lieu thereof a semicolon (;), and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

Also:

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill on page 4, Section 5, line 7 which is line 6, page 6, in printed bill, strike out the word "authorized" and insert in lieu thereof "directed and required."

And when so amended recommend the same do pass.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the title, strike out the period and insert in lieu thereof a semicolon and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

And recommend the adoption of the Standing Committee's amendments as follows:

At the end of the title, strike out the period and insert in lieu thereof a semicolon and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 33 of the printed bill, insert "two years" instead of "one year," in line 34 and after the word "operative" strike out the period, add a comma and insert the following language, "and that one-half of such amount shall be accumulated within one year."

And when so amended recommend the same do pass.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out all of line 7 and line 8 down to the period following the word "act" and insert in lieu thereof the following: "the first violation thereof and a penalty of one thousand (\$1,000.00) dollars for each subsequent violation or failure to observe and comply with any of the provisions of this Act."

On page 2, line 15, strike out the word "revoke" and insert in lieu thereof the word "suspended."

On page 2, line 16, strike out the word "revocation" and insert in lieu thereof the word "suspension"; and in said line 16, strike out the words, "for at least one year from" and insert in lieu thereof, "until said fine or fines are paid."

Strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and strike out the words "business in this state" in line 26.

And the further amendment:

Amend the Committee report by changing the word "revoke" to read "revoked."

In line 4 of the title after the word "Companies" strike out the period, insert a semi-colon and add the following language "and Declaring an Emergency."

And when so amended recommend the same do pass.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corpor-

ation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

On the original bill, after the title, beginning with the word "whereas," strike out all down to the Enacting Clause and the word "Therefore" in the Enacting Clause.

And when so amended recommend the same do pass.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In the title of the original bill correct the spelling of "Insurance."

And when so amended recommend the same do pass.

(Signed:)

GUS A. SCHAUSS,  
Chairman.

Mr. Olson of Adams moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Charles Albright, Fargo; H. C. Fulton, Jamestown; F. L. Putnam, Bismarck; C. O. Ferguson, Kulm; John Odegard, Wyndmere; Martin S. Stenehjem, Arnegard; Mr. Baribaeu, Enderlin; S. Danielski, Minot; E. J. Ligakowski, Minot; Bob Groden, Drayton; Ingvald Leum, Mayville; S. N. Rosevold, Mayville; James Maher, Morristown, S. D.; J. L. Turner, Fort Yates; Bud Odegard, Bismarck; Geo. Von Eckhaert, Plaza; Ivan Drovdal, Arnegard; Leland Stenehjem, Arnegard; O. N. Stenehjem, Watford City; John Benner, Dickinson; Perry R. Benner, Dickinson; Leroy Moemoir, Dickinson; B. T. Peisen, Beach; Carl Erickson, Springbrook; James Manoles, Valley City; Leo Cota, Valley City; Dan M. Gowan, Grand Forks; Chas. Claid, Bismarck; Mrs. Chas. Claid, Bismarck; Mrs. Rose Claid, Bismarck; George Lange, Garrison; Mick Toreski, Wilton; C. U. Turner, Bismarck; Mrs. J. O. Bergheim, Bismarck; Emma McNulty, Stanton; Don Boger, Garrison; Mrs. J. H. Langford, Cooperstown; Jo An Thompson, Bismarck; Katherine Geiger, Bismarck.

Mr. Twichell moved that the House recess to 12:45 tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

THIRTY-EIGHTH DAY AFTER RECESS AND  
THIRTY-NINTH DAYHouse of Representatives,  
Bismarck, North Dakota,  
February 12, 1937.

The House convened at 12:45 p. m., pursuant to recess, Speaker Dahl presiding.

## GENERAL ORDERS

Mr. Kapaun moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Kapaun to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways.

And recommend the adoption of the Standing Committee's amendments as follows:

In the last line of the title of the printed bill, after the word "Highways" strike out the period and insert in lieu thereof a semi-colon (;) and insert the following: "Repealing all Acts or parts of Acts in conflict herewith and Declaring an Emergency."

On page 2, line 28 of the printed bill strike out the figures "25,000.00" and insert in lieu thereof the figures "10,000.00".

In line 30, page 2, strike out the figures "101,191.91" and insert in lieu thereof the figures "86,191.91".

And when so amended recommend the same do pass.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512 and 5514 and to Repeal Section 5513 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

Strike out everything after the words "A Bill" and amend to read as follows:

"An Act to amend and re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the year 1913, relating to transfer of interests of real estate by corporations; repealing all Acts or parts of Acts in Conflict therewith and declaring an emergency.

"Be it enacted by the legislative assembly of the State of North Dakota:

Section 1. Amendment. That Section 5512 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

"Section 5512. BY-LAWS EMPOWERING OFFICERS AND OTHER PERSONS TO EXECUTE. Any foreign or domestic corporation may in its by-laws empower any one or more of its officers severally or conjointly to execute and acknowledge in its behalf conveyances, transfers, assignments, releases, satisfactions or other instruments affecting liens upon, titles to or interests in real estate; provided that a United States corporation that is an agency or an instrumentality of the United States may in its by-laws empower anyone or more of its officers or anyone or more persons severally or conjointly to execute and acknowledge such instruments.

Section 2. Amendment. That Section 5513 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

"Section 5513. WHO EXECUTES IF NOT SO EMPOWERED. In the absence of any by-laws the president or secretary of any corporation, and the president, secretary, treasurer or cashier of any loan, trust or banking corporation may execute and acknowledge such instruments when authorized by resolution of the board of directors; provided that a United States Corporation that is an agency or an instrumentality of the United States may authorize by resolution of its board of directors anyone or more of its officers or anyone or more persons severally or conjointly to execute and acknowledge such instruments.

Section 3. Amendment. That Section 5514 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

"Section 5514. PRIOR INSTRUMENTS LEGALIZED. All instruments affecting liens upon, titles to, or interests in real estate heretofore executed and acknowledged in good faith by the treasurer or cashier in behalf of any loan, trust or banking corporation or by the regional treasurer of any United States Corporation are declared valid and effectual to the same extent as they would have been had the first and second Sections hereof been in force at the time of their execution.

Section 4. Amendment. That Section 5515 of the Compiled Laws of the State of North Dakota for the year 1913 be, and is hereby amended and re-enacted to read as follows:

"Section 5515. Form of Corporation Signature. The signature of a corporation to any instrument mentioned in Sections 5512, and 5513 may be as follows:

.....(full name of corporation)  
 By (some officer or other person authorized by resolution or  
 the by-laws of the corporation to execute and acknowledge  
 such instrument)

ATTEST: .....  
 .....(official or other designation of person signing)  
 (Seal)

"Section 5. Repeal.) All Acts and parts of Acts in conflict  
 with the provisions of this Act are hereby repealed.

"Section 6. Emergency.) This Act is hereby declared to  
 be an emergency measure and shall be in full force and ef-  
 fect from and after its passage and approval."

And when so amended recommend the same do pass.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-  
 enact Section 9020 of the Compiled Laws of North Dakota  
 for the Year 1913, and to Provide for the Furnishing of  
 Surety for Costs by Plaintiffs Who Are Non-Residents or  
 Corporations Other Than United States Corporations.

And recommend the adoption of the Standing Commit-  
 tee's amendments as follows:

In line 5 of the title of the printed bill after the word  
 "Corporations" strike out the period and insert in lieu  
 thereof comma and the words "declaring an emergency."

In line 11 strike out the word "county" and insert in lieu  
 thereof the word "State."

And when so amended recommend the same do pass.

Also,

House Bill No. 119. A Bill for an Act Making an Appro-  
 priation for the Purpose of Returning to the State Hail In-  
 surance Fund the Money Diverted Therefrom by Chapter 155  
 of the Session Laws of North Dakota for 1935, and Repeal-  
 ing All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Commit-  
 tee's amendments as follows:

In the printed bill, page 1, Section 1, line 9, strike out the  
 word "immediately".

And the further amendment:

On page 1, Section 1, line 11 of the printed bill, after the  
 word "the" strike out the balance of the Section and insert in  
 lieu thereof the following: "sum of \$1,038,865.41 in five equal  
 installments, the first installment to be paid July 15, 1937,  
 and the following installments each twelve months there-  
 after".

And when so amended recommend the same do pass.

A. J. KAPAUN,  
 Chairman.

Mr. Caddell moved that the Report of the Committee of the  
 Whole be adopted, which motion prevailed and the report was  
 adopted.



## SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the absent members be excused, which motion prevailed.

Mr. Freitag moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

## THIRTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 12, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Wm. A. Lemke of Bismarck.

The roll was called, and all members were present except Representatives Anderson, Byrne, Day, Jones, Ritter, Schauss and Shure of Cass.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 37th day after recess and 38th day and recommend that the same be corrected as follows: Add House Bill No. 119 and the title to General Orders.

And when so corrected recommend the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

A telegram from the Wool Growers Association of North Dakota, urging the passage of a resolution memorializing Congress to pass the Pettingill Bill.

A communication from Abner R. Beach of Williston, North Dakota.

Mr. Bjornson moved that the communication from Mr. Beach be referred to the proper committee, which motion prevailed and the communication was referred to the Committee on Agriculture.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 12, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North

Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 12, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

Also,

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commission, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 12, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 96. A Bill for an Act Appropriating Six

Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Also,

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 951, Compiled Laws of North Dakota of the Year 1913, as Amended by Chapter 136 of the Session Laws of 1927; Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

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

Very respectfully,  
 THOMAS McDONALD,  
 Secretary.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Also,

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 4. 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.

Were delivered to the Governor for his approval at the hour of 9:14 o'clock a. m., February 12, 1937.

CARL H. DITTMER,  
 Chairman.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Also,

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Supplement to the Compiled Laws of North Dakota, Relating to County Mutual Insurance Companies, and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919,

to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and In-

vestment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

Also,

House Bill No. 63 A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydal moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 12, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Also,

House Bill No. 98. A Bill for an Act Instructing the Board of Administration of the State of North Dakota to Immediately Make Certain Alterations, Improvements and Additions to the Partially Completed Public Address and Radio Reproducing System, the Loud Speaking, Telephones, and Horn System and Devices in the Chamber of the House of Representatives; Requiring the Same to Be Approved by the Speaker of the House, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "K".

Also,

HOUSE CONCURRENT RESOLUTION "V".

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 12, 1937.

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

Senate Bill No. 3. A Bill for an Act Prohibiting the Manufacture, Owning, Operating, Storing, Possessing, Selling, Renting, Leasing, Lending, Transporting, or in any Manner Handling or Exposing for Sale or Lease, any Slot Machine, Ball Machine, or Other Device; Defining the Duties of State's Attorneys, Peace Officers; Providing Penalties for the Violation of the Provisions of This Act; Continuing in Force Present Statutory Regulations Prohibiting or Regulating Slot Machines and Declaring an Emergency.

Also

Senate Bill No. 100. A Bill for an Act to Amend Section 3696a of the Supplement to the Compiled Laws of 1913, Relating to Liability of Municipalities for Injuries Caused by Accumulation of Frost, Snow, Ice or Sleet on Public Side-

walks, Crosswalks, Streets, Alleys or Other Public Ways and Exempting Municipalities from Liability for Injuries to Person or Property Occurring in Whole or in Part Upon State or National Highways Within Such Municipalities.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Schauss moved that the report be adopted.

Mr. Traynor offered as a substitute motion that Senate Bill No. 106 be recommended for passage. The question being upon Mr. Traynor's substitute motion, a division was called for, and the motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18, of Chapter 101, of the Session Laws of 1927, and Acts Amendatory Thereto, Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respects to Who May Follow the Occupation of Barbering; and Regulate the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:



Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 181. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Five Hundred Dollars or Less, Secured or Unsecured, at a Greater Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violation Thereof, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Schauss moved that the report be adopted.

Mr. Page offered as a substitute motion that House Bill No. 181 be re-referred to the Committee on Banks and Banking, which motion was lost.

The question being on the original motion of Mr. Schauss that the report of the Ways and Means Committee be adopted, the motion prevailed, and House Bill No. 181 was indefinitely postponed.

Mr. Schauss moved that the vote by which House Bill No. 181 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amend-

ment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction.

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

After the word "jurisdiction" in the title, strike out the period and insert in lieu thereof a semicolon and the word "repeal".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 191. A Bill for an Act Granting to the Bank of North Dakota Power to Make Loans in Aid to Industry.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag 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. 17 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Have had the same under consideration and the Senate has agreed to recede from the amendments as made by the Senate Committee.

For the Senate:  
WM. A. THATCHER  
C. S. AASEN  
J. K. BROSTUEN

For the House:  
C. T. OLSON  
OSCAR W. HAGEN  
L. L. TWICHELL

Mr. Olson of Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Olson of Bowman moved that House Bill No. 204 be printed, which motion prevailed.

Mr. Morris moved that House Bill No. 63, at the head of the calendar, be re-referred to the Committee on Public Printing for further amendment, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION "Y"

Introduced by Representatives Caddell and Wolf

Making it mandatory upon the Highway Commissioner to include in the 1938 and 1939 highway construction program the building of a bridge across the Missouri River between Sioux and Emmons Counties.

Was read.

Mr. Twichell moved that further consideration of House Concurrent Resolution "Y" be indefinitely postponed.

Mr. Wolf offered as a substitute motion that House Concurrent Resolution "Y" be adopted, which motion prevailed and the Resolution was adopted.

#### SENATE CONCURRENT RESOLUTION "G"

Introduced by Senator Thatcher (by request)

Providing that the official language of the state of North Dakota hereafter be known as the "American Language".

Was read.

Mr. Wolf moved that Senate Concurrent Resolution "G" be indefinitely postponed, which motion prevailed and the Resolution was indefinitely postponed.

Mr. Godwin moved that for the purpose of commemorating Lincoln's birthday the House go into Joint Session with the Senate for the purpose of hearing an address by former Governor Joseph Devine, which motion prevailed.

Mr. Page moved that the Speaker appoint a committee of three, of which Mr. Godwin shall be a member, to make arrangements for a joint session with the Senate, which motion prevailed and the Speaker appointed on such committee Representatives Godwin, Twichell and Odegard.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a.13 of the Session Laws for the Year 1915. Relating to County Mutual Insurance Companies.

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

House Bill No. 52. A Bill for an Act to Validate and

Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 12, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Also,

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Speaker called Mr. Wolf to the chair.

#### FIRST READING OF HOUSE BILLS

Mr. Hagen introduced:

House Bill No. 274. A Bill for an Act Creating the Office of State Liquor Commissioner of the State of North Dakota; Fixing Powers and Compensation and Imposing Duties; Permitting Such Commissioner to Engage in the Wholesale Alcoholic Liquor Business in the State of North Dakota; Authorizing the Commissioner to Promulgate Rules and Regulations and Do All Acts and Things Necessary in Carrying Out the Provisions Hereof; Declaring an Emergency.

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

Mr. Beaton introduced:

House Bill No. 275. 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 State Affairs.

Mr. Godwin introduced:

House Bill No. 276. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

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

Mr. Hagen introduced:

House Bill No. 277. A Bill for an Act Creating a Method by Which the State of North Dakota May Be Placed Upon a Cash Basis; Authorizing the Issuance and Sale of Negotiable, Incontestable Certificates of Indebtedness and Refunding Certificates of Indebtedness in a Total Amount Not Exceeding Eighty Percent of the Outstanding Uncollected State Taxes Over a Period of Years; Specifying Date, Maturity, Amount, Interest, Rate, and General Form of Such Certificates; Requiring Certification by the State Treasurer and the State Auditor; Providing Manner of Execution; Permitting Negotiation and Sale Thereof; Confirming All Acts to Be Done in Substantial Compliance Herewith; Saving Part of Act if Other Parts are Declared Unconstitutional; and Declaring an Emergency.

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

Mr. Godwin introduced:

House Bill No. 278. A Bill for an Act to Amend and Re-

enact Section 268a5 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Powers of the Industrial Commission.

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

Messrs. Hultstrand and Dullea introduced:

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 3176a5, Supplement to the Compiled Laws of 1913, Defining the Duties of Official Newspapers; Providing for Publication of Legal Publications in Other Than the Official Newspaper in Certain Cases After January 1, 1939, and Relating to Payment of Fees for Official Publications.

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

Mr. Solberg introduced:

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

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

Mr. Solberg (by request) introduced:

House Bill No. 281. A Bill for an Act Providing for the Granting of Divorces, Degree of Proof Required and Procedure to Be Followed.

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

Mr. Solberg introduced:

House Bill No. 282. A Bill for an Act Amending Section 9205 of the Compiled Laws of 1913, Relating to Misdemeanors and the Method of Punishment.

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

Mr. Solberg introduced:

House Bill No. 283. A Bill for an Act Defining the Duties of the Highway Patrol, and Providing for Tourist Labels for Certain Automobiles, and Providing a Penalty for Violation Thereof.

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

Mr. Thompson (by request) introduced:

House Bill No. 284. A Bill for an Act for the Regulation of Traveling Egg Buyers, and Defining Who Are Such Buyers; License and Bond Required; Powers and Duties of Railroad Commission; Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act; and Making the Act an Emergency Measure.

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

Messrs. Schauss and Burgum introduced:

House Bill No. 285. A Bill for an Act Creating a State Department of Justice and Public Safety, Defining Its Jurisdiction, Powers, Duties, and Relation to Existing Governmental Departments, Sub-divisions and Officer of Governmental Departments and Sub-divisions, Under the Supervision and Control of the Industrial Commission, and Repealing All Existing Laws in Conflict Therewith.

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

Mr. Seibel (by request) introduced:

House Bill No. 286. A Bill for an Act to Amend and Re-enact Section 4874 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 172 of the Session Laws of North Dakota for 1931, Relating to Domestic Mutual Insurance Companies.

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

Mr. Frosaker introduced:

House Bill No. 287. A Bill for an Act to Amend and Re-enact Section 1920 of Chapter 31 of the Compiled Laws of North Dakota for 1913, Relating to When Section-lines Are Considered Public Roads, and Declaring an Emergency.

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

Mr. Olson of Adams introduced:

House Bill No. 288. A Bill for an Act Authorizing Counties to Levy a Tax to Provide Medical, Surgical and Hospital Care for Its Residents, Providing Procedure for Adoption and for Discontinuing, Giving County Commissioners Certain Powers and Placing Certain Restrictions, Authorizing County Commissioners to Foster Maternity Homes and Provide Hospital Care for Mothers and Expectant Mothers, Establishing Medical and Surgical Fees to Be Paid Attending Physicians, Surgeons, Chiropractors and Osteopaths and Limiting Fees to Be Charged by Such Physicians, Surgeons, Chiropractors and Osteopaths and Hospitals, and Repealing All Acts in Conflict Herewith.

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

Messrs. Niewoehner and Gilberg introduced:

House Bill No. 289. A Bill for Act to Re-enact Section 8105 of the Compiled Laws of North Dakota for the Year 1913, and to Provide as to Sales of Real Estate Under a Decree of Mortgage Foreclosure, by Whom and Where They Shall Be Made, and the Manner of Publishing Notice to Be Given of Such Sales.

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



Mr. Frazier (by request) introduced:

House Bill No. 280. A Bill for an Act Providing for the Disposition of Fines, Forfeitures, and Pecuniary Penalties Prescribed as Punishment.

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

Mrs. Olson of McLean introduced:

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

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

Mr. Thoresen (by request) introduced:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees and Hedge Plants as a Credit on the Payment of Real Estate Taxes on the Land on Which Said Trees or Hedge Plants are Planted, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

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

Mr. Jensen introduced:

House Bill No. 293. A Bill for an Act Providing for an Annual Fee for the Registration of Motor Trucks and/or Truck Tractors Propelled by Diesel or Fuel Oil or Any Combustible Fuel Other Than Gasoline.

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

Mr. Jensen introduced:

House Bill No. 294. A Bill for an Act Defining Non-Gasoline Driven Motor Vehicles, and Providing for an Annual Fee for the Registration of Any Non-Gasoline Driven Motor Vehicles.

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

Mr. Jensen introduced:

House Bill No. 295. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

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

The Committee on Delayed Bills introduced:

House Bill No. 296. A Bill for an Act to Provide Further Employment of the Labor of Prisoners at the State Penitentiary; for the Sale of the Product of Such Labor to Other State Institutions, the Use of Receipt From the Sale and for

an Appropriation; Requiring Heads of Institutions and Boards to Cooperate with the State Board of Administration.

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

The Committee on Delayed Bills introduced:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Chapter 281 of the Session Laws of North Dakota for the Year 1927, and Chapter 74 of the Laws of 1929, Relating to the Office of Veterans' Service Commissioner, and Amending the Same with Reference to Qualifications and the Manner of Appointment of Such Service Commissioner and Salary and Expense of Carrying Out Provisions of This Act.

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

Mrs. Olson of McLean introduced:

House Bill No. 298. A Bill for an Act to Amend and Re-enact Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Mothers' Pensions; Conditions of Allowance; Duties of the Boards of County Commissioners and Board of Administration; Providing for the Cancellation of Earlier Pensions; Providing a Penalty for Violation; Repealing 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.

Messrs. Schauss, Odegard and Olson of Adams introduced:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Election and Election Privileges.

Messrs. Wendland and Blair introduced:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 1, Chapter 196, Session Laws, 1933, Relating to the Salaries of Elected and Appointive State Officers, to Read as Follows.

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

#### SIXTH ORDER OF BUSINESS

Mr. Godwin reported that the committee appointed to make arrangements for the Joint Session had extended the invitation to the Senate, and that it had been accepted.

Mr. Godwin moved that a committee of three, of which Mr. Burgum be named chairman, be appointed to escort former Governor Joseph Devine to the rostrum, and that Mr. Burgum introduce the speaker to the assembly; also that Governor Langer and former Governor George Shafer

be asked to occupy the rostrum during the ceremony, which motion prevailed.

The Speaker appointed to such committee Representatives Burgum, Beggs and Kraus.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 951, Compiled Laws of North Dakota of the Year 1913, as Amended by Chapter 136 of the Session Laws of 1927; Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

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

The Speaker resumed the chair.

Mr. Godwin moved that the House recess to go into Joint Session with the Senate, which motion prevailed and the House recessed.

The House convened at 5:50 P. M., pursuant to recess, Speaker Dahl presiding.

#### GENERAL ORDERS

Mr. Kapaun moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Kapaun to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

Section 1 in line 7 of the printed bill after the word "a" and before the word "bond" insert the word "surety."

In line 9 after the word "licensee" insert a period (.) and strike out the balance of line 9 and all of lines 10 and 11.

On page 2, line 6, Section 2 of the printed bill after the word "a" and before the word "bond" insert the word "surety."

In line 8, page 2 after the word "licensee" insert a period (.) and strike out the balance of line 8 and all of line 9.

And when so amended recommend the same do pass.

Also,

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 286, Session Laws 1935, to Include Sheriffs, Village Marshals and Constables as Employees within the Contemplation of the Workmen's Compensation Act.

And recommend the same be indefinitely postponed.

Also,

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill page 1, Section 1, line 9 which is page 2, line 9 in printed bill beginning with the words "Each County" strike out the balance of the section and insert in lieu thereof the following: "The appropriation for which shall be made by the legislature and included in other appropriations for the Institution for the feeble minded."

And when so amended recommend the same do pass.

Also,

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill, page 2, Section 1, line 10, which is page 3, line 36, in printed bill, strike out the whole sentence beginning with the words "The County" and ending with the word "inmates" and insert in lieu thereof the following "Twenty five (25) per cent of the expense for the care, board and treatment of such patients in the Tuberculosis

Sanatorium shall be a charge upon the county sending such patients to the Sanatorium and the remaining seventy-five (75)% of such expense shall be a charge upon the state, the appropriation for which shall be made by the Legislature and included in other appropriations for the Tuberculosis Sanatorium.

And when so amended recommend the same do pass.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed bill, page 1, Section 1, line 3, strike out the figures "\$385,012.55" and insert in lieu thereof the figures "\$400,000.00."

Page 1, line 10, strike out the figures "\$10,822.40" and insert in lieu thereof the figures "\$17,000.00."

Page 1, line 11, strike out the figures "\$15,456.32" and insert in lieu thereof the figures "\$18,000.00."

Page 2, line 12, strike out the figures "\$12,716.24" and insert in lieu thereof the figures "\$14,000.00."

Page 2, line 13, strike out the figures "\$6,728.00" and insert in lieu thereof the figures "\$5,500.00."

Page 2, line 14, strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$3,500.00."

Page 2, line 21, strike out the figures "\$69,407.20" and insert in lieu thereof the figures "\$63,183.00."

Page 2, line 22, strike out the figures "\$31,576.96" and insert in lieu thereof the figures "\$30,000.00."

Page 2, line 28, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$19,000.00."

Page 2, line 32, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00."

Page 2, line 33, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

Page 3, line 36, strike out the figures "\$21,178.60" and insert in lieu thereof the figures "\$20,000.00."

Page 3, line 37, strike out the figures "\$60,000.00" and insert in lieu thereof the figures "\$62,500.00."

Page 3, line 38, strike out the figures "\$9,826.00" and insert in lieu thereof the figures "\$8,000.00."

Page 3, line 39, strike out the figures "\$50,000.00" and insert in lieu thereof the figures "\$40,000.00."

Page 3, line 40, strike out the figures "\$6,883.28" and insert in lieu thereof the figures "\$6,000.00."

Page 3, line 41, strike out the figures "\$35,000.00" and insert in lieu thereof the figures "\$27,500.00."

Page 3, line 43, strike out the figures "\$17,160.00" and insert in lieu thereof the figures "\$16,817.00."

Page 3, line 45, strike out the figures "\$692,659.60" and insert in lieu thereof the figures "\$671,404.60."

Page 3, line 48, strike out the figures "\$323,687.55" and insert in lieu thereof the figures "\$302,432.55."

Page 3, line 53, strike out the figures "\$5,673.00" and insert in lieu thereof the figures "\$5,186.90."

Page 3, line 55, strike out the figures "\$10,125.00" and insert in lieu thereof the figures "\$9,638.90."

Page 3, line 58, strike out the figures "\$6,125.00" and insert in lieu thereof the figures "\$5,638.90."

Page 4, line 61, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$2,500.00."

Page 4, line 69, insert the following words "Emergency Fund" and these figures "\$37,728.55."

Page 4, line 70, strike out the figures "\$385,012.55" and insert in lieu thereof the figures "\$400,000.00."

And the further amendment:

On page 3, line 43 of the printed bill after the word "adjustments" insert the following: "to be applied on salaries below \$2,000.00 per annum."

And when so amended recommend the same do pass.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

And recommend the adoption of the Standing Committee's amendments as follows:

On printed bill, line 3, page 1, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$102,341.00".

Page 2, line 13, insert the following words and figures "Additional Maintenance .....\$16,817.00."

Page 2, line 14, strike out the figures "\$243,182.58" and insert in lieu thereof the figures "\$259,999.58".

Page 2, line 16, insert the following words and figures "Net Maintenance, Main Station .....\$16,817.00"

Page 2, after the line "18" insert the new line "18½" and the following words and figures "New Swine Building .....\$8,858.00".

Page 2, after the line "19" insert the new line "19½ and the following words and figures "Swine and Sheep Investigation Projects .....\$8,107.00".

Page 2, line 26, insert the following words "Ice Cream Equipment".

Page 2, line 28, strike out the figures "\$55,559.00" and insert in lieu thereof the figures "\$89,341.00".

In page 3, line 37, strike out the figures "\$68,559.00" and insert in lieu thereof the figures "\$102,341.00".

And when so amended recommend the same do pass.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed bill, Section 1, page 1, line 3, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00".

Page 2, line 20, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00".

Page 2, line 23, strike out the figures "\$661,395.20" and insert in lieu thereof the figures "\$656,595.20".

Page 2, line 27, strike out the figures "\$47,240.00" and insert in lieu thereof the figures "\$42,240.00".

And the further amendment:

Amend the report of the standing committee by striking out the figures \$656,595.20" in the third line from the bottom and insert in lieu thereof the figures \$656,395.20".

And when so amended recommend that the same do pass.

A. J. KAPAUN,  
Chairman.

Mr. Olson of Adams moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on Public Safety made the following report:

Mr. Speaker: Your Committee on Public Safety to whom was referred:

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

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

Section 2. Grade One. Strike out all of Section, after the word "flavors" in line 9, and insert the following: "and shall be of such quality that will make a butter scoring 90 or above".

Section 3. Strike out all of Section 3, as written, and insert the following: "All licensed cream buyers shall make a daily written report to the State Dairy Commissioner on all unlawful cream offered for sale."

Section 4, line 2. After the word "purchase," insert the following: "During the months of May, June, July, August and September, and at least twice a week during the remainder of the year."

And when so amended recommend the same do pass.

H. C. WILLIAMS,  
Chairman.

Mr. Brusseau moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Thoreson requested an extension of time on House Bill No. 89, which request was granted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Anton P. Ressler, Brein; Mrs. Otis Nelson, Mapleton; Judge Sapland, Carrington; F. W. Olson, Devils Lake; L. A. Morrow, Asle Bjella, Epping; Peter Buehli, Floyd B. Sperry, Golden Valley; Mrs. Thos. A. White, Kramer; I. O. Lee, Hazen; William F. Hoff, Edwin A. Sayler, Wishek; James Flynn, Jr., Mrs. James J. Flynn, J. W. Glasson, all of Jamestown; Robert Adam, Ashley; Mrs. Geo. H. Saumur, Miss Gertrude McDonald, Grand Forks; Mrs. Wm. Ireland; Mrs. Wm. Watt, Leonard; Miss Bascom, Mrs. Dr. Smyth, Bismarck; Mrs. Fred Seibel, Elgin; Louis Wagner, McClusky; O. Fossum, Epping; N. N. Brakke, McVile; Fred Helin, Cathay; Charles Cermak, Anton Cermak, Mandan.

Mr. Schauss moved that the House recess until 12:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.



THIRTY-NINTH DAY AFTER RECESS AND  
FORTIETH DAY

House of Representatives.  
Bismarck, North Dakota.  
February 13, 1937.

The House Convened at 12:30 p. m., pursuant to recess,  
Speaker Dahl presiding.

## GENERAL ORDERS

Mr. Seibel moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Seibel to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration.

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction.

And recommend the adoption of the Standing Committee's amendments as follows:

After the word "jurisdiction" in the title, strike out the period and insert in lieu thereof a semicolon and the word "repeal".

And when so amended recommend the same do pass.

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Pen-

alties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

Section 2. Grade One. Strike out all of Section, after the word "flavors" in line 9, and insert the following: "and shall be of such quality that will make a butter scoring 90 or above".

Section 3. Strike out all of Section 3, as written, and insert the following: "All licensed cream buyers shall make a daily written report to the State Dairy Commissioner on all unlawful cream offered for sale."

Section 4, line 2. After the word "purchase," insert the following: "During the months of May, June, July, August and September, and at least twice a week during the remainder of the year."

And the further amendments:

Amend the committee report by inserting the words: "during the months of May, June, July, August and September" after the word "purchased" in line 1 of Sec. 4, and insert the words "and at least twice a week during the remainder of the year" after the word "purchase in line 2 of Section 4."

In the original bill correct the spelling of the word "partnership" in Subsection "a" of Section 1, line 3, and in line 4 of Section 9 and in line 7 of Section 9.

And when so amended recommend same do pass.

FRED SEIBEL,  
Chairman.

Mr. Brusseau moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

## SECOND READING OF HOUSE BILLS

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the second time.

Mr. Schauss moved that further consideration of House Bill No. 208 be indefinitely postponed.

Mr. Treffry moved the previous question, which motion prevailed.

The question being on Mr. Schauss' motion that further consideration of House Bill No. 208 be indefinitely postponed, the motion was lost.

## ROLL CALL

The question now being on the final passage of the bill, the roll was called and there were ayes, 64; nays, 42; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jones	Ritter
Biberdorf	Jury	Sand
Billigmeier	Knudson, Steele	Sandness
Black	Knutson, LaMoure	Saumur
Blair	Kraus	Savre
Brown	LaBerge	Schimke
Brusseau	Langford	Seibel
Burgum	Leum	Semerad
Dittmer	McInnes	Shurr, Bottineau
Fitch	Magill	Solberg
Freitag	Myers	Thompson
Frey	Niewoehner	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Goodlaxon	Odegard	Tuff
Graham	Oglesby	Twichell
Greiser	Olson, Adams	White
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Mr. Speaker
Hultstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beasley	Jensen	Rait
Beaton	Just	Schauss
Bieloh	Kapaun	Severson
Caddell	Levin	Sticka
Dalzell	Livingston	Stray
Day	McIntee	Symington
Dullea	Morland	Thoreson
Frazier	Morris	Tweten
Gilberg	Nelson, Cass	Urschel
Hagen	O'Brien	Wick
Haines	Olson, Bowman	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Krank	Shure, Cass
Byrne	Obach	Wendland
Godwin		

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

Mr. Twichell 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.

Mr. Anderson: I vote "no" on this question for the reason that the county, township and school districts have issued warrants against the back taxes, penalty and interest, and if this law should pass they would be bankrupt; they would have issued more warrants than they would get back taxes.

Mr. Holm: I voted against this bill for the simple reason that people who are able to pay their taxes take advantage of this measure, or any similar measure.

Mr. Knutson of LaMoure: I have my taxes all paid, so personally this measure won't help me, but I believe there are a lot of poor people who haven't got theirs paid, and who would be helped by this law. Therefore I vote "aye".

Mr. Magill: I vote "yes" on this bill because I feel that it gives school districts and other subdivisions a chance to collect taxes that otherwise they would never be able to collect.

Mr. Niewoehner: I vote "aye" because I believe in giving the poor people who are so far behind a chance to clean up their back taxes, and I do not believe that those who conscientiously pay their taxes before they become delinquent will wait and depend upon the legislature to enact similar laws in the future.

Mr. Schauss: I vote "no" on this bill because I think it is one of the biggest barriers we have put up to our public officials for the collection of taxes.

Mr. Twichell: I am going to vote "aye" on the bill, because the fellows it really helps out are voting "no".

Mr. Williams: Friends, I have to vote for this bill because if I did not I wouldn't be honest with myself or honest with the old farmers I am representing down there in Richland County. They know the conditions and so do I, and so do you people, and if there is ever going to be a break, let's have it now. I vote "aye".

Mr. Wolf: I believe that this bill does not help the people that can't pay their taxes, but it is a benefit to the people that did not pay their taxes when they were able to pay them.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 87. A Bill for an Act Providing for the

Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Also,

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

### SECOND READING OF HOUSE BILLS

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All 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, the roll was called and there were ayes, 73; nays, 31; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Rait
Anderson	Jensen	Ritter
Beasley	Jury	Sand
Beaton	Just	Sandness
Beggs	Kraus	Saumur
Benno	LaBerge	Schauss
Bieloh	Leum	Schimke
Billigmeier	Livingston	Semerad
Bjornson	McInnes	Seibel
Black	McIntee	Severson
Brown	Magill	Shurr, Bottineau
Caddell	Morland	Solberg
Day	Myers	Sticka
Fitch	Nelson, Sargent	Stray
Freitag	Norheim	Symington
Frosaker	O'Brien	Thoreson
Graham	Odegard	Treffry
Greiser	Olson, Bowman	Trydahl
Hagen	Olson, McLean	Tuff

Messrs.	Messrs.	Messrs.
Haines	Olson, Sargent	Twetén
Hofstrand	Peterson, Bot'neau	White
Holm	Peterson, Renville	Williams
Holthusen	Peterson, Richland	Wolf
Hultstrand	Pewe	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Gilberg	Niewoehner
Anfinson	Goodlaxon	Oglesby
Biberdorf	Holmquist	Olson, Adams
Blair	Johnson	Page
Brusseau	Jones	Savre
Burgum	Knudson, Steele	Thompson
Dalzell	Knutson, LaMoure	Traynor
Dittmer	Langford	Twichell
Dullea	Levin	Urschel
Frey	Morris	Wick
Gessner		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Kapaun	Obach
Frazier	Krank	Shure, Cass
Godwin	Nelson, Cass	Wendland

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

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All 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, the roll was called and there were ayes, 79, nays, 21; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Akland	Jensen	Pewe
Beasley	Jones	Rait
Beaton	Just	Sandness
Benno	Knudson, Steele	Savre
Biberdorf	Knutson, LaMoure	Schauss

Messrs.	Messrs.	Messrs.
Bieloh	LaBerge	Schimke
Billigmeier	Langford	Seibel
Bjornson	Leum	Semerad
Black	Levin	Shurr, Bottineau
Brown	Livingston	Solberg
Brusseau	McInnes	Sticka
Caddell	McIntee	Stray
Dalzell	Magill	Symington
Freitag	Morland	Thoreson
Frosaker	Myers	Treffry
Goodlaxon	Niewoehner	Trydahl
Graham	Norheim	Tuff
Greiser	O'Brien	Tweten
Hagen	Odegard	Urschel
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Wolf
Holmquist	Page	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Gilberg	Olson, Sargent
Burgum	Johnson	Ritter
Dittmer	Jury	Sand
Dullea	Kraus	Severson
Fitch	Morris	Thompson
Frey	Nelson, Sargent	Twichell
Gessner	Oglesby	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Kapaun	Saumur
Byrne	Krank	Shure, Cass
Day	Nelson, Cass	Traynor
Frazier	Obach	Wendland
Godwin		

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

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the absent members be excused, which motion prevailed.

Mr. Schauss moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### FORTIETH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

The House Assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Wm. A. Lemke, of Bismarck.

The roll was called and all members were present except Representatives Byrne, Frazier, Krank, Obach, Shure of Cass, Traynor, Twichell, Wendland, and Williams.

So a quorum was declared present.

#### REFERENCE TO THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 38th day after recess and 39th day and recommend that the same be corrected as follows:

On page 754 in line 20, correct the spelling of the word "Partial".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return herewith the following resolution:

#### HOUSE CONCURRENT RESOLUTION "M".

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Also,



Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 3839 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 154. A Bill for an Act to Provide a Method of Voting at any General or Primary Election by Electors Absent or Anticipating Being Absent on the Day of Such Election from the County in Which They are Electors, Repealing Sections 992, 993, 995 and 996 of the Compiled Laws of North Dakota 1913 as Amended by Chapter 136 of the 1931 Session Laws and by Chapter 107 of the 1933 Session Laws, and Repealing Sections 994, 997, 998, 999, 1000, 1001, 1002, 1003 and 1004 of the Compiled Laws of North Dakota 1913, and Repealing all Acts or Parts of Acts in Conflict Herewith.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 17.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 11. A Bill for an Act Making an Appro-

priation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 41. 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.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

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

#### SENATE CONCURRENT RESOLUTION "G".

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. President: I have the honor to transmit herewith the following bills and resolutions:

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

HOUSE CONCURRENT RESOLUTION "U".

Also,

HOUSE CONCURRENT RESOLUTION "Y".

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

Very Respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

Two communications from the North Dakota Retail Hardware Association urging the passage of House Bill No. 68 and the indefinite postponement of House Bill No. 29.

Communication from the Hettinger School Board regarding the transfer of funds from the Equalization Fund to the State Hail Insurance Department.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the Senate, and declaring an emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 136 A bill for an act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the year 1913, relating to transfer of interests of real estate by corporations; repealing all Acts or parts of Acts in Conflict therewith and declaring an emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-

enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds, to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251

of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 235. A Bill for an Act to appropriate \$2,500.00 to be paid to the State Historical Society of North Dakota under the direction of the Federal Writers' Project of the Works Progress Administration, to be used for the printing of The North Dakota Guide, and providing for the return of the money to the State Treasurer, and providing the manner of printing, distributing, and accounting for sale of said book.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted.

Mr. Godwin offered as a substitute motion that House Bill No. 235 be placed on the calendar, which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 155. A Bill for an Act to be known as the "Unfair Sales Act"; to prevent deceptive merchandising practices; to restrain unfair competition in trade and industry; to protect fair trade practices in distribution of merchandise; to define various terms used in said act; and providing penalty for violation of the act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 164. A Bill for an Act for the Purpose of Establishing a Six-Man Game and Fish Commission, They to Have Power to Appoint a Director of Game and Fish, and to Conduct Other Business Pertaining to Game and Fish.

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

That this be added to the title of the original bill: "Repeal Chapter 130 of the Session Laws of 1929; all acts and parts of acts in conflict herewith are hereby repealed."

Section 1, lines 4, 5, and 6, strike out the words "from a list of names to be submitted by the Directors of the North Dakota Wildlife Association" which stand after the word "appoint" in line 4 and before the word "a" in line 6.

Section 4, line 2, after the word "for" and before the word "in" in line 3 strike out the words "inefficiency, neglect of duty or misconduct" and insert in lieu thereof the words "malfeasance, nonfeasance or misfeasance".

Section 4, line 10, strike out the words "review of" and insert in lieu thereof the words "appeal to" and in line 11 after the word "Court add the words "of Burleigh County."

Section 8, line 16, after the word "exceed" and before the word "cents" insert the word "five" in lieu of the word "seven".

Section 9, line 9, after the word "exceed" and before the word "cents" insert the word "five" in lieu of the word "seven".

Section 9, line 28, after the word "wardens" and before the word "compensation" insert the words "without" in lieu of the word "with". (in printed bill).

And when so amended recommend the same do pass.

O. C. OLSON,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in

Poor Relief Cases to Employ Medical, Osteopathic, Chiropractic Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 197. A Bill for an Act Providing for the Exemption of All Farm Machinery Used for Actual Farming From Taxation While So Used, and Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Make, Brand or Name.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Benno moved that the report be adopted, which motion lost.

Mr. Godwin moved that further consideration of House Bill No. 209 be indefinitely postponed, which motion prevailed.

The Committee on Tax and Tax Laws made the following report:



Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 216. A Bill for an Act to Impose an Equalization and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, the Payment of the Tax; the Replacement Feature Thereof, Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the action by which House Bill No. 216 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Dullea moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 236. A Bill for an Act Appropriating \$750.00 to the Tax Survey Commission for Expenses Incident to the Drafting of the Legislative Program of the Tax Survey Commission and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted.

Mr. Godwin offered as a substitute motion that House Bill No. 236 be placed on the calendar, which motion lost.

The question now being on Mr. Ritter's motion that the report be adopted, the motion prevailed and the report of the committee was adopted, and House Bill No. 236 was indefinitely postponed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

SENATE CONCURRENT RESOLUTION "J",

Be it Resolved by the Senate of the State of North Dakota, the House of Representative Concurring Therein:\*\*\*\*

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Beggs moved that the report be adopted.

Mr. Fitch offered as a substitute motion that further consideration of Senate Concurrent Resolution "J" be indefinitely postponed.

Mr. Burgum moved the previous question, which motion prevailed.

The question being on Mr. Fitch's substitute motion that further consideration of Senate Concurrent Resolution "J" be indefinitely postponed, the motion was lost.

Mr. Wolf moved that Senate Concurrent Resolution "J" be adopted, which motion prevailed and the Resolution was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 77. 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.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Adam moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

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

Strike out everything after the Enacting Clause and insert the following:

SECTION 1. That the State Treasurer of the State of North Dakota as custodian of the Liquor Fund, and collector of revenue developing from the sale of liquor stamps required to be placed on all containers of beverages containing more than four per centum (4%) alcohol by weight, is hereby authorized and empowered to demand, require and receive from any licensed wholesale liquor dealer in North Dakota, and from any licensed retail liquor dealer in North Dakota, any monthly, weekly or daily report or reports in such form as the State Treasurer shall determine upon; also any book, record, document, invoice and voucher kept, maintained, received or issued by such licensed dealer in connection with the business of such licensee, which in the judgment of the State Treasurer as custodian of the liquor fund may be necessary to properly administer and discharge the duties of said State Treasurer as custodian of the Liquor Fund, and secure the maximum of revenue to be properly paid into said Liquor Fund, and to properly carry out the provisions of law.

SECTION 2. If default be made, or if any of such licensees shall fail or refuse to furnish any of the reports or information referred to in Section 1 of this act upon request being made therefor, the State Treasurer as custodian of such liquor fund or any of his duly appointed representatives are hereby empowered to enter upon delinquent licensees' premises where said records are kept and make such examination as is necessary to compile the required report, and that cost of such examination shall be paid by the dealer whose reports are in default, and in addition to such cost of examination said defaulting dealer shall be subject to a fine of \$50.00 for each such default.

SECTION 3. In the event of a default, failure or refusal to furnish the information referred to in Section 1 of this act, the Treasurer, in his discretion, may refuse to sell or deliver to such defaulting licensee any liquor stamps until such default is made good.

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

And the Speaker signed the same in the presence of the House.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Also,

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

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

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Also,

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH ORDER OF BUSINESS

HOUSE RESOLUTION "J", introduced by Representative Greiser, requesting an examination of banks in McIntosh county by special examiner.

Was read and referred to the Committee on Banks and banking.

HOUSE CONCURRENT RESOLUTION "Z", introduced by Representatives Olson of Bowman, Dalzell and Sandness; Amending the Constitution of the State of North Dakota, and authorizing the state of North Dakota to enter into the business of manufacturing and selling at wholesale and retail of alcohol for motor fuel and alcohol and alcoholic beverages for beverage purposes.

Was read and referred to the State Affairs Committee.

HOUSE CONCURRENT RESOLUTION "A-1", introduced by Representative Olson of Adams; relating to the production of alcohol for blending purposes.

Was read and referred to the State Affairs Committee.

## FIRST READING OF HOUSE BILLS

Messrs. Nelson of Cass and Beaton introduced:

House Bill No. 301. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 199 of the 1933 Session Laws Abolishing the Office of Assistant Director of the North Dakota Regulatory Department, Establishing the Office of State Food Commissioner and Chemist, as Distinct and Separate from the North Dakota Regulatory Department, Providing for Appointment, Qualifications, Salaries and Duties of State Food Commissioner and Chemist and of Other Employees Under His Supervision, Providing for the Deposit of All Moneys Collected by Said State Food Commissioner and Chemist in a Revolving Fund to Be Designated as "Pure Food and Chemistry Fund" and the Payment of Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, and for the Transfer Annually of Part of Said Fund to the General Fund of the State, and for the Immediate Transfer to Said Fund of a sum of Ten Thousand Dollars from the "State Regulatory Fund", and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Messrs. Beasley and Blair introduced:

House Bill No. 302. A Bill for an Act Preventing the Selling of Liquor to Habitual Drunkards; Prescribing a Penalty; Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

Mr. Bieloh introduced:

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Mr. Bieloh introduced:

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and 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.

Mrs. Olson of McLean and Mr. Thompson introduced:

House Bill No. 305. A Bill for an Act Amending and Re-enacting Chapter 135 of the Session Laws of North Dakota for the Year 1935, Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen and Committeewomen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910 to 916 Inclusive, Compiled Laws of 1913 and Chapter 137 of the North Dakota Session Laws for the Year 1927, and Chapter 123 of the North Dakota Session Laws for the Year 1929.

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

Mr. Thompson (by request) introduced:

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

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

Mr. Hagen introduced:

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of

the Session Laws of North Dakota for 1931: Entitled—  
“An Act to Establish a Standardized and Uniform System  
of Grading, Labeling and Inspecting Potatoes and Certain  
Other Produce, and to Regulate the Sale and Distribution of  
Potatoes in Closed Containers, and Making an Appropria-  
tion Therefor.”

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

Messrs. Olson of Bowman, Brown, Dalzell and Morland  
introduced:

House Bill No. 308. A Bill for an Act to Make a Sales  
Tax Replacement Tax and Provide a Method of Replacement.

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

Messrs. Olson of Bowman, Sandness and Morland in-  
troduced:

House Bill No. 309. A Bill for an Act to Permit Incor-  
porated Cities and Villages to Engage in the Liquor Traffic  
by Establishing and Operating Municipal Liquor Stores, and  
to Provide a Method of so Doing.

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

Mr. Schauss introduced:

House Bill No. 310. A Bill for an Act to Provide for the  
Licensing of Motor Picture Theatre Checkers, Setting the  
Fee Therefor, Providing for Reports and Disposing of the  
Proceeds.

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

Mr. Bjornson introduced:

House Bill No. 311. A Bill for an Act Authorizing the  
State Treasurer to Execute on Behalf of the State Satisfac-  
tions of Mortgages on National Guard Armories in the State  
of North Dakota Given in Accordance With the Provisions  
of Chapter 174 of the Session Laws of North Dakota for 1907  
and Amendments Thereto, and Declaring an Emergency.

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

Mr. Frosaker (by request) introduced:

House Bill No. 312. A Bill for an Act Authorizing the  
State Highway Commissioner to Administer Feeder or Other  
Roads for Which Federal Appropriations Are Made.

Was read the first time and referred to the Committee on  
Highways and Bridges.



Mr. Freitag moved that the Senate messages be sent back to the Senate for correction.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

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

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 42. 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.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Upon which the House has requested individual messages.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All 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, the roll

was called and there were ayes, 71; nays, 32; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Hultstrand	Sand
Anderson	Huseby	Sandness
Anfinson	Ireland	Savre
Beaton	Jensen	Schauss
Beggs	Just	Schimke
Benno	Knudson, Steele	Seibel
Biberdorf	LaBerge	Semerad
Bieloh	Langford	Severson
Billigmeier	Livingston	Shurr, Bottineau
Bjornson	McIntee	Solberg
Brown	Magill	Sticka
Brusseau	Morland	Stray
Caddell	Morris	Symington
Frazier	Myers	Thoreson
Freitag	Niewoehner	Treffry
Frosaker	O'Brien	Tuff
Godwin	Odegard	Tweten
Goodlaxon	Olson, Adams	Urschel
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Williams
Haines	Peterson, Bot'neau	Wolf
Hofstrand	Peterson, Renville	Mr. Speaker
Holm	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Oglesby
Black	Johnson	Olson, Sargent
Blair	Jones	Page
Burgum	Jury	Peterson, Richland
Dalzell	Kraus	Ritter
Dullea	Leum	Saumur
Fitch	Levin	Thompson
Frey	McInnes	Traynor
Gessner	Nelson, Cass	Trydahl
Gilberg	Nelson, Sargent	Twichell
Graham	Norheim	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Knutson, LaMoure	Shure, Cass
Day	Krank	Wendland
Dittmer	Obach	Wick
Kapaun		

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

Mr. Freitag 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.

Mr. Twichell: I want to explain my vote and have my remarks recorded in the Journal. I vote "no" on this bill because I don't believe it is fair to the counties that have been able to take care of the insane patients to put upon them the burden of taking care of patients from other counties, when they can, by the issuance of certificates of indebtedness, under a method offered to us, pay their own way. I vote "no."

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption, by Vote of Electors; Prescribing Procedure With Respect There-to; and Penalties for Violations Hereof.

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, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Anderson	Holmquist	Page
Anfinson	Holthusen	Peterson, Renville
Beasley	Hultstrand	Peterson, Richland
Beaton	Huseby	Pewe
Benno	Ireland	Rait
Biberdorf	Jensen	Ritter
Bieloh	Johnson	Sand
Billigmeier	Jones	Sandness
Bjornson	Jury	Saumur
Black	Just	Schauss
Blair	Knudson, Steele	Schimke
Brown	Knutson, LaMoure	Seibel
Brusseau	Kraus	Semerad
Caddell	LaBerge	Severson
Dalzell	Langford	Shurr, Bottineau
Day	Levin	Solberg
Dittmer	Livingston	Sticka
Dullea	McInnes	Stray
Fitch	McIntee	Symington
Frazier	Magill	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Nelson, Sargent	Tuff
Godwin	Norheim	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	White

Messrs.	Messrs.	Messrs.
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Krank	Savre
Beggs	Leum	Shure, Cass
Burgum	Morland	Wendland
Byrne	Obach	Wick
Kapaun	Peterson, Bot'neau	

So the bill passed and the title was agreed to.

Mr. Twichell 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.

The Speaker called Mr. Fitch to the chair.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of 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, 87; nays, 2; absent and not voting 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Oglesby
Akland	Holmquist	Olson, Adams
Anderson	Holthusen	Olson, Bowman
Anfinson	Hultstrand	Page
Beasley	Huseby	Peterson, Bot'neau
Biberdorf	Ireland	Peterson, Renville
Bieloh	Jensen	Pewe
Billigmeier	Johnson	Sand
Bjornson	Jones	Sandness
Blair	Jury	Saumur
Brown	Just	Schimke
Brusseau	Kapaun	Semerad
Caddell	Knudson, Steele	Severson
Dalzell	Knutson, LaMoure	Shurr, Bottineau

Messrs.	Messrs.	Messrs.
Dittmer	Kraus	Solberg
Dullea	LaBerge	Sticka
Fitch	Langford	Stray
Frazier	Levin	Symington
Freitag	Livingston	Thompson
Frosaker	McInnes	Thoreson
Gessner	McIntee	Treffry
Gilberg	Magill	Trydahl
Godwin	Morland	Tuff
Goodlaxon	Morris	Tweten
Graham	Myers	Twichell
Greiser	Niewoehner	Urschel
Hagen	Norheim	White
Haines	O'Brien	Williams
Hofstrand	Odegard	Wolf

Those voting in the negative were:

Messrs.	Messrs.
Nelson, Sargent	Olson, Sargent

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Krank	Savre
Beggs	Leum	Schauss
Benno	Nelson, Cass	Seibel
Black	Obach	Shure, Cass
Burgum	Olson, McLean	Traynor
Byrne	Peterson, Richland	Wendland
Day	Rait	Wick
Frey	Ritter	Mr. Speaker

So the bill passed and the title was agreed to.

#### SEVENTH ORDER OF BUSINESS

Mr. Traynor moved that the action by which House Bill No. 200 was indefinitely postponed be reconsidered, which motion prevailed.

Mr. Traynor moved that House Bill No. 200 be placed in General Orders, which motion prevailed.

Mr. Odegard requested an extension of time on House Bill No. 161, which extension was granted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

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, 93; nays, 1; absent and not voting 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Akland	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Jensen	Ritter
Benno	Johnson	Sand
Bieloh	Jones	Sandness
Billigmeier	Jury	Saumur
Bjornson	Just	Schauss
Blair	Kapaun	Schimke
Brown	Knutson, LaMoure	Seibel
Brusseau	Kraus	Semerad
Burgum	LaBerge	Severson
Caddell	Leum	Shurr, Bottineau
Dalzell	Levin	Solberg
Day	Livingston	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Magill	Thompson
Frazier	Morland	Thoreson
Freitag	Morris	Traynor
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Twetén
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Greiser	Oglesby	White
Hofstrand	Olson, Adams	Wick
Holm	Olson, Bowman	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Peterson, Renville	Mr. Speaker

Those voting in the negative were:

Messrs.  
Page

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Obach
Beaton	Haines	Olson, McLean
Beggs	Knudson, Steele	Peterson, Bot'neau
Biberdorf	Krank	Savre
Black	Langford	Shure, Cass
Byrne	Nelson, Cass	Wendland
Graham		

So the bill passed and the title was agreed to.

Mr. Godwin moved that the House be on the Tenth Order of Business until 5:00 P. M., which motion prevailed.

The Speaker resumed the chair.

## FIRST READING OF HOUSE BILLS

Mr. Niewoehner introduced:

House Bill No. 313. A Bill for an Act Making All Payments Made by Any County for Aid for a Deceased Person or for Funeral Expenses a Valid Debt of and Prior Claim Against the Estate of Such Deceased Person, and Providing for the Collection Thereof.

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

Mr. Wick introduced:

House Bill No. 314. A Bill for an Act Distributing Public Printing; Specifying Duties of County Commissioners With Reference Thereto, Providing Penalty and Repealing All Acts in Conflict and Declaring an Emergency.

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

Messrs, Fitch, Frosaker, Schauss and Treffry introduced:

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

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

Mr. Schauss (by request) introduced:

House Bill No. 316. A Bill for an Act Requiring the State of North Dakota, Through the Bank of North Dakota, or Through Its Proper Officials and Agencies to Convey Certain Lands and Satisfy Mortgages Upon Compliance With Conditions Herein Imposed.

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

Mr. Graham introduced:

House Bill No. 317. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of North Dakota for the Year 1935, Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse or Memorial Buildings, Which Have Been Heretofore Erected or Which Hereafter May Be Erected, for the Exclusive Use

of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

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

Mr. Holmquist introduced:

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

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

Messrs. Jensen and Olson of Adams introduced:

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty and Declaring an Emergency.

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

Mr. Burgum introduced:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; 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 Judiciary.

Messrs Benno and Livingston introduced:

House Bill No. 321. A Bill for an Act Authorizing Cities Having a Population of 4,000 and Over to Establish and Provide a Fund to Be Used for the Purpose of Paying and Providing Payment to Its Employees of Pensions and Disability Insurance or Allowances; to Create and Set up a Board for the Administration of Such Fund, and Authorizing and Empowering Such Board to Prescribe Rules and Regulations Governing Qualification and Rights of Persons to Participation in the Benefits of Such Fund and for the Efficient Administration of the Fund Herein Provided, and Carrying Out the Purposes and Provisions of This Act:

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Mr. Holmquist introduced:



House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 323. A Bill for an Act Levying a Tax Upon Cigars Sold at Retail in the State of North Dakota; Fixing the Amount of Such Tax; Providing Manner for Affixing Stamp Tax and Other Regulations; Providing for Having in Possession of Selling Without Paying Tax; Declaring an Emergency.

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

Messrs. Knutson of Steele and Leum introduced:

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

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

Mr. Ritter introduced:

House Bill No. 325. A Bill for an Act Requiring County Treasurers and County Auditors to Apply Money Paid in Liquidation of the Real Estate Taxes to the Discharge of the Oldest Unpaid Taxes; Making Receipt for Taxes Conclusive Proof of Payment of All Prior Taxes.

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

Mr. Sand introduced:

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

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

Mr. Fitch introduced:

House Bill No. 327. A Bill for an Act to Repeal Sections 4822, 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4832, and 4833, of the 1913 Compiled Laws of the State of North Dakota, Relating to Wagon Road Corporations.

Was read the first time and referred to the Committee on Highways and Bridges.

Mr. Fitch introduced:

House Bill No. 328. A Bill for an Act to Repeal Sections 2055, 2056, 2057, 2058, 2059, 2060, and 2061 of the 1913 Compiled Laws of the State of North Dakota, Relating to Bridge Penalties.

Was read the first time and referred to the Committee on Highways and Bridges.

Mr. Fitch introduced:

House Bill No. 329. A Bill for an Act Legalizing and Declaring Legal All Foreclosures by Advertisement Heretofore conducted Notwithstanding the Mortgage Foreclosed Contained No Power of Sale.

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

Messrs. Godwin and Trydahl introduced:

House Bill No. 330. A Bill for an Act Providing for Licensing of Employment Agencies; Fixing License Fee: Making It Unlawful to Conduct an Employment Agency Until Duly Licensed and Providing Penalties.

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

Mr. Twichell introduced:

House Bill No. 331. A Bill for an Act to Amend and Re-enact Section 7644 of the Compiled Laws of 1913, as Amended by Chapter 331, Session Laws of 1923 and Repeal All Acts or Parts of Acts in Conflict Herewith.

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

Messrs. Twichell, Johnson, Kraus and Fitch introduced:

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

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

Mr. Schauss introduced:

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks,

Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

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

Mr. Brown introduced:

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

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

Mr. Schauss introduced:

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Mr. Niewoehner introduced:

House Bill No. 337. A Bill for an Act Levying a Tax of One Cent (1c) Upon Each Fifty Cents or Fraction Thereof Charged for Tickets or Admissions to Theatres, Places of Amusement and Athletic Events; Providing for the Collection of Such Tax and for the Deposit of the Same in the Equalization Fund for the Benefit of the Common Schools.

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

Mr. Thoresen (by request) introduced:

House Bill No. 338. A Bill for an Act to Repeal Sections 5575, 5576, 5577, 5578 of the 1913 Compiled Laws of the State of North Dakota, Relating to Proof and Acknowledgment of Instruments.

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

Mr. Thoresen (by request) introduced:

House Bill No. 339. A Bill for an Act to Repeal Section 2054 of the 1913 Compiled Laws of the State of North Dakota, Relating to Hitching of Passenger Teams.

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

Mr. Bjornson introduced:

House Bill No. 340. A Bill for an Act Making It the Duty of Boards of County Commissioners in Certain Instances to Furnish Office Space and Quarters Without Charge for City Officials, and Declaring an Emergency.

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

Mr. Niewoehner introduced:

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Mr. Kapaun introduced:

House Bill No. 342. A Bill for an Act to Amend and Re-enact Section 9, Chapter 179, Laws of 1927 as Amended and Re-enacted by Section 1, Chapter 176, Laws of 1935, Section 13, Chapter 179, Laws of 1927, Section 29 of Chapter 179, Laws of 1927, and Subsection B, Section 14, Chapter 179, Laws of 1927 as Amended and Re-enacted by Section 10, Chapter 160, Laws of 1933; Relating to the Registration of Motor Vehicles.

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

Messrs Godwin and Bjornson introduced:

House Bill No. 343. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18 of Chapter 101 of the Session Laws of 1927 and Acts Amendatory Thereto Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respect to Who May Follow the Occupation of Barbering; and Regulating the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

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

Mr. Niewoehner introduced:

House Bill No. 344. A Bill for an Act to Provide That 50% of the Hail Indemnity Tax Assessed for the Year of 1935 Shall be Refunded or Abated, and Designating the Funds From which Payments Shall Be Made.

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

Messrs. Frazier and Burgum introduced:

House Bill No. 345. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent with Sound Economy and Prudent Management, Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act, Providing for the Rights, Powers and Duties of the Authority, Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Burgum and Frazier introduced:

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Messrs. Burgum and Frazier introduced:

House Bill No. 347. A Bill for an Act to Amend and Re-enact Section 4543 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, as Amended by Chapter 114, Laws of North Dakota, 1931, Exempting Co-operative Associations of Cooperative Corporations Organized for the Purpose of Electrification From the Limitations and Restrictions Therein Contained as to the Creation of Debt, Making Dividends, and Dividing, Withdrawing or Paying to the Stockholders any Part of the Capital Stock, and Declaring an Emergency.

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

Messrs. Burgum and Frazier introduced:

House Bill No. 348. A Bill for an Act to Amend and Re-

enact Section 4609a2 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Including Electrification in Purposes for Which a Co-operative Association May Be Formed; and Declaring an Emergency.

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

Messrs. Godwin and Peterson of Renville introduced:

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

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

Messrs. Frazier and Burgum introduced:

House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; and Declaring an Emergency.

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

Mr. Symington (by request) introduced:

House Bill No. 351. A Bill for an Act to Amend and Re-enact Section 3080a4 and 3080a5 of the 1925 Supplement to the 1913 Compiled Laws Relating to Labeling and Specifications of Gasoline and Kerosene, and Declaring an Emergency.

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

Messrs. Rait and Semerad introduced:

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

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

The Committee on Delayed Bills introduced:

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds for Farmers in Drouth Stricken Counties of This State; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

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

## REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

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

In the printed bill, page 3, line 31, change the figures "1,200.00" to read "\$12,000.00" as in the original bill.

Page 3, line 34, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "500.00."

Page 3, line 36, strike out the figures "750.00" and insert in lieu thereof the figures "250.00."

Page 3, line 37, strike out the words "Travel Expenses" and the figures "200.00."

Page 3, line 39, strike out the figures "\$69,200.00" and insert in lieu thereof the figures "\$68,00.00."

Page 4, line 56, strike out the figures "20,000.00" and insert in lieu thereof the figures "16,000.00".

Page 4, line 58, strike out the figures "\$125,000.00" and insert in lieu thereof the figures "\$121,000.00".

Page 5, line 70, strike out the figures "800.00" and insert in lieu thereof the figures "400.00".

Page 5, line 71, strike out the figures "800.00" and insert in lieu thereof the figures "600.00".

Page 5, line 72, strike out the figures "2,500.00" and insert in lieu thereof the figures "3,000.00".

Page 5, line 76, strike out the figures "28,924.00" and insert in lieu thereof the figures "28,824.00".

Page 5, line 82, strike out the figures "3,800.00" and insert in lieu thereof the figures "3,500.00".

Page 5, line 83, strike out the figures "7,000.00" and insert in lieu thereof the figures "5,000.00".

Page 5, line 84, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 5, line 86, strike out the word "are" and insert in

lieu thereof the word "as" and strike out entirely the figure "6" and the "comma" following it.

Page 5, line 89, strike out the figures "\$16,800.00" and insert in lieu thereof the figures "\$13,500.00".

Page 7, line 134, strike out the figures "2,782.50" and insert in lieu thereof the figures "1,500.00".

Page 7 below line 134, strike out the line No. "155" and change it to "135".

Page 7, line 136, strike out the figures "765.00" and insert in lieu thereof the figures "500.00".

Page 7, line 137, strike out the figures "400.00" and insert in lieu thereof the figures "200.00".

Page 8, line 139, strike out the figures "\$43,067.66" and insert in lieu thereof the figures "\$41,320.16".

Page 8, line 145, strike out the figures "3,840.00" and insert in lieu thereof the figures "4,440.00".

Page 8, line 155, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

Page 8, line 157, strike out the figures "\$29,223.76" and insert in lieu thereof the figures "\$28,823.76".

Page 9, line 166, strike out the figures "500.00" and insert in lieu thereof the figures "400.00".

Page 9, line 167, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 9, line 171, strike out the figures "\$12,073.00" and insert in lieu thereof the figures "\$10,973.00".

Page 9, line 180, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 9, line 181, strike out the figures "1,000.00" and insert in lieu thereof the figures "750.00".

Page 9, line 182, strike out the figures "1,000.00" and insert in lieu thereof the figures "500.00".

Page 9, line 184, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,000.00".

Page 9, line 185, strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Page 10, line 197, strike out the figures "2,500.00" and insert in lieu thereof the figures "\$51,340.00".

Page 10, line 197, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "2,000.00"

Page 10, line 204, strike out the figures "\$36,804.00" and insert in lieu thereof the figures "\$36,804.00".



Page 10, line 208, strike out the figures "\$3,600.00" and insert in lieu thereof the figures "\$3,400.00".

Page 11, line 211, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 11, line 213, strike out the figures "16,000.00" and insert in lieu thereof the figures "15,000.00".

Page 11, line 215, strike out the figures "18,000.00" and insert in lieu thereof the figures "24,000.00".

Page 11, line 218, strike out the figures "\$43,380.00" and insert in lieu thereof the figures "\$47,880.00".

Page 11, line 226, strike out the figures "1,200.00" and insert in lieu thereof the figures "1,000.00".

Page 11, line 231, strike out the figures "1,200.00" and insert in lieu thereof the figures "1,000.00".

Page 11, line 233, strike out the figures "\$21,244.32" and insert in lieu thereof the figures "\$20,844.32".

Page 12, line 245, strike out the figures "2,160.00" and insert in lieu thereof the figures "2,280.00".

Page 12, line 246, strike out the word "Three" and insert in lieu thereof the words "Four Qualified". On the same line strike out the figures "9,000.00" and insert in lieu thereof the figures "12,000.00".

Page 12, line 251, strike out the figures "600.00" and insert in lieu thereof the figures "400.00".

Page 12, line 254, strike out the figures "12,000.00" and insert in lieu thereof the figures "15,000.00".

Page 12, line 257, strike out the figures "\$38,144.00" and insert in lieu thereof the figures "\$44,064.00".

Page 13, line 271, strike out the figures "14,100.00" and insert in lieu thereof the figures "12,100.00".

Page 13, line 277, strike out the figures "7,000.00" and insert in lieu thereof the figures "6,000.00".

Page 14, line 286, strike out the figures "\$94,004.00" and insert in lieu thereof the figures "\$91,004.00".

Page 14, line 299, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 14, line 301, strike out the figures "\$18,285.00" and insert in lieu thereof the figures "\$17,285.00".

Page 15, line 316, strike out the figures "3,538.94" and insert in lieu thereof the figures "4,080.00".

Page 15, line 329, after the word "Sales" insert a "comma" and the word "Loans".

Page 16, line 331, strike out the figures "\$67,465.34" and insert in lieu thereof the figures "\$68,006.40".

Page 16, line 339, strike out the figures "700.00" and insert in lieu thereof the figures "500.00".

Page 16, line 340, strike out the figures "500.00" and insert in lieu thereof the figures "400.00".

Page 16, line 341, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 16, line 343, strike out the figures "24,000.00" and insert in lieu thereof the figures "20,000.00".

Page 16, line 346, strike out the figures "\$73,360.80" and insert in lieu thereof the figures "\$68,760.80".

Page 17, line 362, add an "s" to the word "Clerk" and strike out the words "Refund Dept."

Page 17, line 369, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,500.00".

Page 17, line 370, insert the words "Special Services in Tax Litigation" and the figures "2,000.00".

Page 17, line 371, strike out the figures "\$72,320.00" and insert in lieu thereof the figures "\$73,820.00".

Page 18, line 385, strike out the figures "700.00" and insert in lieu thereof the figures "600.00".

Page 18, line 386, strike out the figures "450.00" and insert in lieu thereof the figures "300.00".

Page 18, line 388, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "2,000.00".

Page 18, line 392, strike out the figures "\$89,306.80" and insert in lieu thereof the figures "\$88,556.80".

Page 18, line 396, strike out the figures "1,140.00" and insert in lieu thereof the figures "1,340.00".

Page 19, line 403, strike out the words "Dues National Association" and the figures "200.00".

Page 19, line 416, strike out the figures "600.00" and insert in lieu thereof the figures "400.00".

Page 19, line 417, strike out the figures "400.00" and insert in lieu thereof the figures "200.00".

Page 19, line 420, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 20, line 426, strike out the figures "\$19,650.80" and insert in lieu thereof the figures "\$19,150.80".

Page 20, line 429, strike out the figures "3,840.00" and insert in lieu thereof the figures "4,040.00".

Page 20, line 433, strike out the words "Furniture and Fixtures" and the figures "200.00".

Page 20, line 436, strike out the figures "3,000.00" and insert in lieu thereof the figures "2,000.00".

Page 20, line 441, strike out the figures "\$16,360.00" and insert in lieu thereof the figures "\$15,360.00".

Page 20, line 446, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 20, line 447a, strike out the figures "150.00" and insert in lieu thereof the figures "100.00".

Page 20, line 447 strike out the figures "150.00" and insert in lieu thereof the figures "100.00".

Page 21, line 449, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 21, line 450, strike out the figures "200.00" and insert in lieu thereof the figures "100.00".

Page 21, line 452, strike out the figures "\$6,940.00" and insert in lieu thereof the figures "\$6,540.00".

Page 21, line 459, strike out the figures "2,040.00".

Page 21, line 461, insert the words "And Clerk".

Page 21, line 462, strike out the word "Clerk" and the figures "1,800.00".

Page 21, line 468, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 21, line 470, strike out the figures "\$18,142.00" and insert in lieu thereof the figures "\$14,202.00".

Page 22, line 475, strike out the figures "200.00" and insert in lieu thereof the figures "100.00".

Page 22, line 476, strike out the figures "200.00" and insert in lieu thereof the figures "75.00".

Page 22, line 479, strike out the word "Travel" and the figures "200.00".

Page 22, line 481, strike out the figures "\$4,450.00" and insert in lieu thereof the figures "4,025.00".

Page 22, line 493, strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,500.00".

Page 22, line 495, strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,500.00".

Page 23, line 504, after the figures "1929" insert a "period" and the following words: "Provided that \$140.00 of the amount appropriated for this Subdivision shall become available upon the Passage and Approval." Also strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,440.00".

Page 23, line 506, strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,440.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 635 of the Compiled Laws of 1913, Relating to the Time When Appropriations Made by the Legislative Assembly Shall Become Available, and Prohibiting Any Department, Institution, Industry, Board, Bureau or Commission for Which Appropriation is Made, from Incurring Expense or Liability in Excess of Appropriation Available During Any Period; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 635 of the Compiled Laws of North Dakota for 1913 Relating to the Availability of Appropriations; Prohibiting any Department, Institution, Industry, Board, Bureau, or Commission, for Which Appropriation Is Made, From Incurring Expense or Liability in Excess of Appropriations Available During Any Period and Repealing Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 237. A Bill for an Act Providing for a Crop Lien to Secure Payment of Tractor Fuel and Lubricating Oils Actually Used in the Production of the Crop and to Provide a Method of Securing the Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

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

On original bill, Section 1, line 1, strike out the word "in" and insert in lieu thereof the word "that".

On line 2 in the same Section after the word "law", strike

out the balance of the Section down to and including the comma after the word "therewith" which is in line 4 on the original bill and line 5 on the printed bill.

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:  
Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

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

On original bill, page 1, Section 1, line 5 which is line 7 on the printed bill after the word "bureau", insert in lieu thereof the words "for the biennium".

At the end of Section 2, strike out the word "liable" and insert in lieu thereof the word "available".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Sepaker: I have the honor to inform you that the President of the Senate has appointed Senators Guthrie, Lavik and Whelan to act with a like committee of the House to arrange for Joint Memorial Services on February 22nd, 1937.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Wolf moved that the Speaker appoint a committee of three to act with the committee appointed in the Senate to make arrangements for a memorial session on February 22, 1937, which motion prevailed and the Speaker appointed Representatives Wolf, Hofstrand and Traynor.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 42. 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.

Which the Senate has amended as follows:

In line 4 of the printed bill, strike out the figures "\$175,340.00" and insert in lieu thereof the figures "\$177,840.00".

In line 11, strike out the figures "36,000.00" and insert in lieu thereof the figures "37,000.00".

In line 13, strike out the figures "1,000.00" and insert in lieu thereof the figures "2,500.00".

In line 20, correct the "TOTAL" by striking out the figures "\$175,340.00" and insert in lieu thereof the figures "\$177,840.00".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Olson of Adams moved that the House do not concur in the Senate Amendments to House Bill No. 42.

Mr. Twichell offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 42.

The question being on Mr. Twichell's substitute motion that the House concur in the Senate amendments, a division was called for, and the motion was lost.

The question being on Mr. Olson's motion that the House do not concur in the Senate amendments, the motion prevailed.

Mr. Godwin moved that the Speaker appoint a conference committee of three to act with a like committee from the Senate on House Bill No. 42. The motion prevailed, and the Speaker appointed to such conference committee Representatives Olson of Adams, Frosaker and Stray.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 40. A Bill for an Act Making an Appro-

priation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the Senate has amended as follows:

In line 3 of the printed bill, strike out the figures "\$246,306.00" and insert in lieu thereof the figures "\$264,696.00".

In line 11, strike out the figures "59,782.00" and insert in lieu thereof the figures "61,972.00".

Reinsert line 12, item 4, under "SALARIES AND WAGES"  
"4. Salary Adjustments.....3,700.00".

In line 26, strike out the figures "15,000.00" and insert in lieu thereof the figures "16,500.00".

In line 27, strike out the figures "8,000.00" and insert in lieu thereof the figures "10,000.00".

In line 30, strike out the figures "3,500.00" and insert in lieu thereof the figures "5,000.00".

In line 32, strike out the figures "14,000.00" and insert in lieu thereof the figures "20,000.00".

In line 34, correct the total after "TOTAL MAINTENANCE" by striking out the figures "\$269,606.00" and insert in lieu thereof the figures "\$286,496.00".

In line 36a correct the figures after "NET MAINTENANCE" by striking out the figures "\$236,606.00" and insert in lieu thereof the figures "\$253,496.00".

In line 38, strike out the figures "4,000.00" and insert in lieu thereof the figures "5,000.00".

In line 42, strike out the figures "500.00" and insert in lieu thereof the figures "1,000.00".

In line 48, correct the "total" by striking out the figures "\$246,306.00" and insert in lieu thereof the figures "\$264,696.00".

Very respectfully,

THOMAS McDONALD.  
Secretary.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 40 and that the conference committee appointed to act on House Bill No. 42 also act with a conference committee from the Senate on House Bill No. 40, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. President: I have the honor to inform you that the



House refused to concur in the Senate amendment to House Bills No. 42 and 40 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Adam, Frosaker and Stray.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Which the Senate has amended as follows:

In Section 3, line 6, of the original bill, strike out the word "eight" and in lieu thereof insert the word "six".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Frazier moved that the House concur in the Senate amendments to House Bill No. 16, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 16 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 by Senate, the roll was called and there were ayes, 100; nays, 2; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Page
Anderson	Holmquist	Peterson, Bot'neau
Anfinson	Holthusen	Peterson, Renville
Beasley	Hultstrand	Peterson, Richland
Beaton	Huseby	Pewe
Beggs	Ireland	Rait
Benno	Jensen	Ritter
Biberdorf	Johnson	Sand
Bieloh	Jones	Sandness
Billigmeier	Jury	Saumur
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss

Messrs.	Messrs.	Messrs.
Blair	Kraus	Schimke
Brown	LaBerge	Seibel
Brusseau	Leum	Semerad
Caddell	Livingston	Severson
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	O'Brien	Tuff
Godwin	Odegard	Tweten
Goodlaxon	Oglesby	Twichell
Graham	Olson, Adams	Urschel
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.
Kapaun	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Krank	Shure, Cass
Burgum	Langford	Wendland
Byrne	Levin	Wick
Just	Obach	

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 16.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. Speaker: I have the honor to return:  
House Bill No. 142. A Bill for an Act Providing for the

Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended as follows:

In line 5 of Section 1 of the printed bill, strike out the figures "5,000" and insert in lieu thereof the figures "6,000".

In line 11, page 2, Section 1 of the printed bill, strike out the figures "5,000" and insert in lieu thereof the figures "6,000".

In line 16, page 2, Section 1 of the printed bill, strike out the word "five" and insert in lieu thereof the word "six".

In line 3 of the title of the printed bill, strike out the figure "5,000" and insert in lieu thereof the figure "6,000".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Saumur moved that the House concur in the Senate amendments to House Bill No. 142, which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 142 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 by the Senate, the roll was called and there were ayes, 98; nays, 1; absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Olson, Sargent
Anderson	Holmquist	Page
Anfinson	Holthusen	Peterson, Bot'neau
Beasley	Hultstrand	Peterson, Renville
Beaton	Huseby	Peterson, Richland
Beggs	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Johnson	Ritter
Bieloh	Jones	Sand
Billigmeier	Jury	Sandness
Bjornson	Kapaun	Saumur
Black	Knudson, Steele	Savre
Blair	Knutson, LaMoure	Schauss
Brown	Kraus	Semerad
Brusseau	LaBerge	Severson
Caddell	Livingston	Shurr, Bottineau
Dalzell	Leum	Solberg

Messrs.	Messrs.	Messrs.
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tuff
Gilberg	Nelson, Sargent	Tweten
Godwin	Norheim	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	White
Greiser	Oglesby	Williams
Hagen	Olson, Adams	Wolf
Haines	Olson, Bowman	Mr. Speaker
Hofstrand	Olson, McLean	

Those voting in the negative were:

Messrs.  
Seibel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Krank	Shure, Cass
Burgum	Langford	Traynor
Byrne	Levin	Wendland
Fitch	Obach	Wick
Just	Schimke	

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 13, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 142.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 186. A Bill for an Act Amending and Re-enacting Sections 4, 7 and 8 of Chapter 91 of the 1935 Session Laws of North Dakota, Relating to the Creating of a State Athletic Commission; Prescribing Its Powers and Duties; Providing Penalties for Violations and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Wolf moved that further consideration of House Bill No. 186 be indefinitely postponed, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

Was read the second time.

Mr. Godwin moved the previous question, 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, 52; nays, 51; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Savre
Akland	Holmquist	Schauss
Anderson	Hultstrand	Schimke
Anfinson	Huseby	Seibel
Beaton	Knutson, LaMoure	Semerad
Beggs	Levin	Shurr, Bottineau
Billigmeier	Livingston	Sticka
Bjornson	McIntee	Stray
Brusseau	Myers	Thoreson
Caddell	Odegard	Treffry
Dittmer	Olson, Adams	Tuff
Frazier	Olson, McLean	Tweten
Freitag	Peterson, Bot'neau	Urschel
Frosaker	Pewe	White
Godwin	Rait	Williams
Greiser	Ritter	Wolf
Hagen	Sand	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Norheim
Benno	Ireland	O'Brien
Biberdorf	Jensen	Oglesby
Bieloh	Johnson	Olson, Bowman
Black	Jones	Olson, Sargent
Blair	Jury	Page
Brown	Kapaun	Peterson, Renville
Dalzell	Knudson, Steele	Peterson, Richland
Day	Kraus	Sandness
Dullea	LaBerge	Saumur
Fitch	Leum	Severson
Frey	McInnes	Solberg
Gessner	Magill	Symington

Messrs.	Messrs.	Messrs.
Gilberg	Morland	Thompson
Goodlaxon	Morris	Traynor
Graham	Nelson, Cass	Trydahl
Holm	Nelson, Sargent	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Langford	Shure, Cass
Byrne	Niewoehner	Wendland
Just	Obach	Wick
Krank		

So the bill lost.

Mr. Gilberg moved that the vote by which House Bill No. 166 was lost be reconsidered and the motion to reconsider be laid on the table.

The question being on Mr. Gilberg's motion, a division was called for and the motion lost.

Mr. Godwin moved that the House recess until 7:30 p. m., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 7:30 p. m., pursuant to recess, Speaker Dahl presiding.

#### SEVENTH ORDER OF BUSINESS

Mr. Morris asked that a communication regarding the seed situation be read.

There being no objection, the communication was read.

Mr. Frazier moved that the communication be printed in the Journal, which motion prevailed.

Communication from Robert B. Cummins:

According to information received today by Robert B. Cummins, State Director for the National Emergency Council for North Dakota, the appropriation to cover emergency crop and feed loans which is included in the first deficiency bill, has cleared Congress and has been signed by the President.

Application blanks and other forms in connection with this type of loan will be prepared immediately and should be available for distribution through Farm Credit Administration Regional Office at St. Paul and the offices of their Field Supervisors in the counties in the state not later than the week of February 15th. Checks covering, properly filled in and approved applications, will be mailed from the Regional office at St. Paul to the Field Supervisors of the feed and seed loan section of the Farm Credit Administration in the various counties in North Dakota within twenty-four to forty-eight hours from the time such applications are received by the Regional office.

In instances where loans are needed for planting of cash crops, a first lien will be required upon all crops to be financed, in whole or in part, with the proceeds of such loans. In instances, where loans are needed for the purchase or production of feed for livestock, a first lien will be required upon the livestock to be fed.

Mr. Cummins further stated that all farmers who are unable to obtain credit from private financial institutions or other sources are eligible, except farmers who are now standard rehabilitation "farm plan" clients of the Resettlement Administration. Those who fall within this later class will be provided supplemental loans by the Rehabilitation division of the Resettlement Administration. No loan shall exceed \$400.00, and shall bear interest at the rate of 4% per annum.

Mr. Cummins is confident that the emergency crop and feed loan section, with its present set-up and its present personnel is in a position to service any farmer in any county in the state whose need for an emergency crop and feed loan has been determined by the proper authorities.

#### HOUSE CONCURRENT RESOLUTION "B-1"

Introduced by Representatives Wolf and Caddell

An amendment to the Constitution of the State of North Dakota providing for a manager plan of county government in certain counties.

Was read.

Mr. Caddell moved that the Resolution be referred to the Committee on State Affairs, which motion prevailed.

Mr. Godwin moved that the designation of House Concurrent Resolution "B-1" be amended to read House Concurrent Resolution No. 356, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Mr. Bjornson introduced:

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing Acts or Parts of Acts in Conflict Herewith.

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

Mr. Greiser (by request) introduced:

House Bill No. 355. A Bill for an Act to Amend and Re-enact Section 463 of the Compiled Laws of North Dakota for 1913 Relative to the Practice of Medicine and Surgery in the State of North Dakota; Repealing Acts in Conflict Herewith and Declaring an Emergency.

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

The Speaker called Mr. Wolf to the chair.

Mr. Godwin moved that consideration of House Bill No. 116 be deferred one legislative day, which motion prevailed.

Mr. Godwin moved that House Bill No. 178 be moved to the head of the calendar, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 0; absent and not voting 14.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jones	Saumur
Bjornson	Jury	Schauss
Black	Kapaun	Semerad
Blair	Knudson, Steele	Seibel
Brown	LaBerge	Severson
Brusseau	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	Magill	Stray
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Norheim	Tweten
Gilberg	O'Brien	Twichell
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Williams
Greiser	Olson, Bowman	Wolf
Hagen	Olson, McLean	Mr. Speaker



Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Kraus	Schimke
Byrne	Langford	Shure, Cass
Just	Nelson, Sargent	Wendland
Knutson, LaMoure	Obach	Wick
Krank	Savre	

So the bill passed and the title was agreed to.

Mr. Hagen moved that the vote by which House Bill No. 178 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

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, 99; nays, 0; absent and not voting 14.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jones	Saumur
Bjornson	Jury	Schauss
Black	Kapaun	Seibel
Blair	Knudson, Steele	Semerad
Brown	LaBerge	Severson
Brusseau	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Norheim	Tweten
Gilberg	O'Brien	Twichell
Godwin	Odegard	Urschel

Messrs.	Messrs.	Messrs.
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Williams
Greiser	Olson, Bowman	Wolf
Hagen	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Kraus	Schimke
Byrne	Langford	Shure, Cass
Just	Nelson, Sargent	Wendland
Knutson, LaMoure	Obach	Wick
Krank	Savre	

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

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

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, 99; nays, 0; absent and not voting 14.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jones	Saumur
Bjornson	Jury	Schauss
Black	Kapaun	Seibel
Blair	Knudson, Steele	Semerad
Brown	LaBerge	Severson
Brusseau	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Norheim	Tweten
Gilberg	O'Brien	Twichell

Messrs.	Messrs.	Messrs.
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Williams
Greiser	Olson, Bowman	Wolf
Hagen	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Kraus	Schimke
Byrne	Langford	Shure, Cass
Just	Nelson, Sargent	Wendland
Knutson, LaMoure	Obach	Wick
Krank	Savre	

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

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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, 99; nays, 0; absent and not voting 14.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jury	Saumur
Bjornson	Kapaun	Schauss
Black	Knudson, Steele	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	Magill	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Morland	Thompson

Messrs.	Messrs.	Messrs.
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Norheim	Tuff
Gilberg	O'Brien	Tweten
Godwin	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Graham	Olson, Adams	White
Greiser	Olson, Bowman	Williams
Hagen	Olson, McLean	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Krank	Shure, Cass
Byrne	Langford	Wendland
Jones	Nelson, Sargent	Wick
Just	Obach	Mr. Speaker
Knutson, LaMoure	Sayre	

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

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

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, 93; nays, 6; absent and not voting 14.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Bowman
Akland	Haines	Olson, McLean
Anderson	Hofstrand	Olson, Sargent
Anfinson	Holm	Page
Beasley	Holmquist	Peterson, Bot'neau
Beaton	Holthusen	Peterson, Renville
Benno	Hultstrand	Peterson, Richland
Biberdorf	Huseby	Pewe
Bieloh	Ireland	Rait
Billigmeier	Jensen	Sand
Bjornson	Johnson	Sandness
Black	Jury	Saumur
Blair	Kapaun	Schauss
Brown	Knudson, Steele	Semerad
Brusseau	Kraus	Severson
Burgum	LaBerge	Shurr, Bottineau
Caddell	Leum	Solberg
Dalzell	Levin	Sticka

Messrs.	Messrs.	Messrs.
Day	Livingston	Stray
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Frazier	Magill	Thoreson
Freitag	Morland	Traynor
Frey	Morris	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tweten
Gilberg	Norheim	Twichell
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	White
Graham	Oglesby	Williams
Greiser	Olson, Adams	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Ritter	Seibel
Myers	Schimke	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Krank	Shure, Cass
Fitch	Langford	Wendland
Jones	Nelson, Sargent	Wick
Just	Obach	Mr. Speaker
Knutson, LaMoure	Savre	

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

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

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, 95; nays, 2; absent and not voting 16.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Sargent
Akland	Haines	Page
Anderson	Hofstrand	Peterson, Bot'neau
Anfinson	Holm	Peterson, Renville
Beasley	Holmquist	Peterson, Richland
Beaton	Holthusen	Pewe
Beggs	Hultstrand	Rait
Benno	Huseby	Ritter
Biberdorf	Ireland	Sand
Bieloh	Jensen	Sandness
Billigmeier	Johnson	Saumur
Bjornson	Kapaun	Schauss

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Black	Knudson, Steele	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Levin	Severson
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frey	Nelson, Cass	Tuff
Frosaker	Norheim	Tweten
Gessner	O'Brien	Twichell
Gilberg	Odegard	Urschel
Goodlaxon	Oglesby	White
Godwin	Olson, Adams	Williams
Graham	Olson, Bowman	Wolf
Greiser	Olson, McLean	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
Leum	Trydahl

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Burgum	Krank	Shure, Cass
Byrne	Langford	Symington
Jones	Nelson, Sargent	Wendland
Jury	Obach	Wick
Just	Savre	Mr. Speaker
<b>Knutson, LaMoure</b>		

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

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Was read the second time.

Mr. Fitch moved that House Bill No. 163 be re-referred to the Insurance Committee.

Mr. Solberg moved the previous question, which motion prevailed.

The question being on Mr. Fitch's motion that House Bill No. 163 be re-referred to the Insurance Committee, the motion prevailed.

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North

Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

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, 98; nays, 0; absent and not voting 15.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Page
Akland	Holm	Peterson, Bot'neau
Anderson	Holmquist	Peterson, Renville
Anfinson	Holthusen	Peterson, Richland
Beasley	Hultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Sand
Biberdorf	Jensen	Sandness
Bieloh	Johnson	Saumur
Billigmeier	Jury	Schauss
Bjornson	Kapaun	Schimke
Black	Knudson, Steele	Seibel
Blair	Kraus	Semerad
Brown	LaBerge	Severson
Brusseau	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Norheim	Tweten
Gilberg	O'Brien	Twichell
Godwin	Odegard	Urschel
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Williams
Greiser	Olson, Bowman	Wolf
Hagen	Olson, McLean	Mr. Speaker
Haines	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Knutson, LaMoure	Ritter
Burgum	Krank	Savre
Byrne	Langford	Shure, Cass
Jones	Nelson, Sargent	Wendland
Just	Obach	Wick

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

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Morris asked unanimous consent to correct the original bill by striking out the word "Therefore" in the enacting clause, which unanimous consent was granted.

Mr. Freitag moved that the rules be suspended and that House Bill No. 183 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 45; absent and not voting 21.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Odegard
Benno	Haines	Olson, Bowman
Bieloh	Holthusen	Olson, Sargent
Black	Johnson	Page
Blair	Jury	Peterson, Renville
Brown	Kapaun	Peterson, Richland
Day	Knudson, Steele	Sand
Dullea	Kraus	Sandness
Fitch	LaBerge	Saumur
Freitag	Leum	Semerad
Frey	McInnes	Severson
Frosaker	Magill	Sticka
Gessner	Morris	Thompson
Gilberg	Niewoehner	Traynor
Goodlaxon	Norheim	Trydahl
Graham	O'Brien	Twichell

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Seibel
Akland	Ireland	Shurr, Bottineau
Anfinson	Levin	Solberg
Biberdorf	Livingston	Stray
Billigmeier	McIntee	Symington
Brusseau	Morland	Thoreson
Caddell	Myers	Treffry
Dalzell	Oglesby	Tuff
Dittmer	Olson, Adams	Twetén
Frazier	Olson, McLean	Urschel
Godwin	Peterson, Bot'neau	White
Greiser	Pewe	Williams
Hofstrand	Rait	Wolf
Holm	Ritter	Mr. Speaker
Holmquist	Schimke	



Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jensen	Nelson, Sargent
Beaton	Jones	Obach
Beggs	Just	Savre
Bjornson	Knutson, LaMoure	Schauss
Burgum	Krank	Shure, Cass
Byrne	Langford	Wendland
Huseby	Nelson, Cass	Wick

So the bill lost.

Mr. Symington: I vote "no" for the purpose of re-consideration.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Was read the second time.

Mr. Traynor moved that consideration of House Bill No. 196 be deferred one legislative day, and that the Chairman of the Insurance Committee be instructed to procure additional information and present it to the House.

The motion lost.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 28; absent and not voting 14.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Peterson, Richland
Akland	Haines	Pewe
Anderson	Hofstrand	Rait
Anfinson	Holm	Ritter
Beaton	Holmquist	Sand
Beggs	Hultstrand	Schauss
Benno	Huseby	Schimke
Biberdorf	Ireland	Semerad
Bieloh	Jensen	Seibel
Billigmeier	Knudson, Steele	Shurr, Bottineau
Black	LaBerge	Solberg
Brusseau	Leum	Sticka
Caddell	Levin	Stray
Day	Livingston	Thompson
Dittmer	McIntee	Thoreson
Fitch	Myers	Treffery
Frazier	Niewoehner	Tuff
Freitag	Nelson, Cass	Tweten
Frosaker	O'Brien	Urschel

Messrs.	Messrs.	Messrs.
Gilberg	Odegard	White
Godwin	Olson, Adams	Williams
Goodlaxon	Olson, McLean	Wolf
Graham	Peterson, Bot'neau	Mr. Speaker
Greiser	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Olson, Sargent
Blair	Kraus	Page
Brown	McInnes	Sandness
Dalzell	Magill	Saumur
Dullea	Morland	Severson
Frey	Morris	Symington
Gessner	Norheim	Traynor
Holthusen	Oglesby	Trydahl
Johnson	Olson, Bowman	Twichell
Jury		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Knutson, LaMoure	Savre
Burgum	Krank	Shure, Cass
Byrne	Langford	Wendland
Jones	Nelson, Sargent	Wick
Just	Obach	

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

Mr. Frazier moved that the vote by which House Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Traynor: I do not want to vote for this bill without the proper information. I do not want to jeopardize the funds that are supposed to be here in the State Capitol for the protection of the people.

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways.

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, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Page
Akland	Holm	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Anderson	Holmquist	Peterson, Renville
Anfinson	Holthusen	Peterson, Richland
Beasley	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Ireland	Ritter
Benno	Jensen	Sand
Biberdorf	Johnson	Sandness
Bieloh	Jury	Saumur
Billigmeier	Kapaun	Schauss
Black	Knudson, Steele	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Brusseau	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Norheim	Trydahl
Gessner	O'Brien	Tuff
Gilberg	Odegard	Tweten
Godwin	Oglesby	Urschel
Goodlaxon	Olson, Adams	White
Graham	Olson, Bowman	Williams
Greiser	Olson, McLean	Wolf
Hagen	Olson, Sargent	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.  
Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Knutson, LaMoure	Obach
Burgum	Krank	Savre
Byrne	Langford	Shure, Cass
Jones	Nelson, Cass	Wendland
Just	Nelson, Sargent	Wick

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

Mr. Frazier moved that the vote by which House Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Twichell: I vote "no" for the reason that this money comes from a fund which never legally existed.

The Speaker resumed the chair.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512 and 5514 and to Repeal Section 5513 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; 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, the roll was called and there were ayes, 90; nays 6; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Benno	Jensen	Rait
Bieloh	Johnson	Ritter
Billigmeier	Jury	Sand
Black	Kapaun	Sandness
Blair	Knudson, Steele	Saumur
Brown	LaBerge	Schauss
Brusseau	Leum	Semerad
Caddell	Levin	Severson
Dalzell	Livingston	Shurr, Bottineau
Day	McInnes	Solberg
Dittmer	McIntee	Sticka
Dullea	Magill	Stray
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Norheim	Tuff
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fitch	Kraus	Seibel
Hofstrand	Schimke	Tweten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Just	Savre
Biberdorf	Knutson, LaMoure	Shure, Cass
Bjornson	Krank	Symington

Messrs.	Messrs.	Messrs.
Burgum	Langford	Wendland
Byrne	Nelson, Sargent	Wick
Jones	Obach	

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

#### SEVENTH ORDER OF BUSINESS

Mr. Anfinson requested an extension of time on House Bill No. 151, which extension was granted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Melvin Frazier, Kathrine Geiger, Joan Thomas, Leonard H. Miller, all of Bismarck; Geo. Butten, Bieligh; Chas. Clark, Emmons; F. Edwin Rodlin, Melvin Salo, Solon; Kennet Hagen, Dickinson; B. E. Larson, Hazelton; A. M. Kuhfeld, Beach; J. S. Graham, A. P. Belcal, Hettinger; F. D. McCartney, Oakes; George Olson, Charlson; Ethel Schlasinger, Bismarck; Ralph Keller, Fargo; M. S. Stenehjem, Arnegard; C. E. Danielson, Minot; C. B. Brown, Enderlin; Geo. Stipek, Mrs. Geo. Stipek, Bismarck; F. E. Helor, Cathay; F. J. Berger, Arthur Wolf, Bismarck; D. J. Beakey, Williston.

Mr. Godwin moved that the House recess until 12:30 P. M. Monday, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-FIRST DAY AFTER RECESS AND  
FORTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

The House convened at 12:30 p. m., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Brusseau moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders; which motion prevailed.

The Speaker called Mr. Brusseau to the chair, and the  
House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following  
report:

Mr. Speaker: The Committee of the Whole have had  
under consideration:

House Bill No. 164. A Bill for an Act for the Purpose of  
Establishing a Six-Man Game and Fish Commission, They to  
Have Power to Appoint a Director of Game and Fish, and to  
Conduct Other Business Pertaining to Game and Fish.

And recommend the adoption of the Standing Committee's  
amendments as follows:

That this be added to the title of the original bill: "Repeal  
Chapter 130 of the Session Laws of 1929; all acts and parts of  
acts in conflict herewith are hereby repealed."

Section 1, lines 4, 5, and 6, strike out the words "from a list  
of names to be submitted by the Directors of the North Da-  
kota Wildlife Association" which stand after the word "ap-  
point" in line 4 and before the word "a" in line 6.

Section 4, line 2, after the word "for" and before the word  
"in" in line 3 strike out the words "inefficiency, neglect of

duty or misconduct" and insert in lieu thereof the words "malfeasance, nonfeasance or misfeasance".

Section 4, line 10, strike out the words "review of" and insert in lieu thereof the words "appeal to" and in line 11 after the word "Court" add the words "of Burleigh County."

Section 8, line 16, after the word "exceed" and before the word "cents" insert the word "five" in lieu of the word "seven".

Section 9, line 9, after the word "exceed" and before the word "cents" insert the word "five" in lieu of the word "seven".

Section 9, line 28, after the word "wardens" and before the word "compensation" insert the words "without" in lieu of the word "with" (in printed bill).

And the further amendments:

In section 1, line 4, after the word "appoint" insert the following language: "from a list of names selected at district meetings of the North Dakota Wildlife Association and affiliates, and submitted by the directors of such associations."

In section 1, line 3, after the word "members" and before the period, insert the words "three of which shall be farmers".

In the original bill insert the word "Section" before each number heading each section.

And when so amended recommend the same do pass.

HARVEY BRUSSEAU,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved to suspend the rule setting the fortieth legislative day as the last day for the introduction of bills, such suspension of rules to apply only to the bills already in the hands of the Clerk.

The motion prevailed.

#### FIRST READING OF HOUSE BILLS

Mr. Freitag introduced:

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

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

Mr. Jensen introduced:

House Bill No. 358. A Bill for an Act to Amend and Re-enact Sections One and Four of Chapter 199 of the 1933 Session Laws of the State of North Dakota Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director, Appointment of Inspectors and Special Inspectors, etc.

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

Mr. Jensen introduced:

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

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

Mr. Myers (by request) introduced:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

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

Mr. Schauss introduced:

House Bill No. 361. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons From the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May be Sold and Authorizing Municipalities to Provide Penalties For Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Ap-



propriation to Carry Out the Provisions Hereof", and Declaring an Emergency.

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

Mr. Schauss introduced:

House Bill No. 362. A Bill for an Act Providing That All Field Work Connected With the Lands Owned, Supervised, Operated, and Controlled by the Board of University and School Lands, and the State Land Commissioner, Be Performed by the Employees at the Bank of North Dakota; Providing for Payment of Salaries and Expenses in Connection With Said Work; Transferring Funds; Declaring an Emergency.

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

Mr. Schauss (by request) introduced:

House Bill No. 363. A Bill for an Act Defining, Licensing and Regulating Dealers at Wholesale as Herein Defined; Defining the Words "Produce," "Person," and "Commissioner"; Outlining the Procedure to Obtain a License; Providing for the Date of Expiration of Licenses, the Amount, and the Posting Thereof; Providing for Appeals from Actions of the Commissioner and How Appeals May Be Taken; Providing for Handling Money Received from License Fees; Imposing Certain Duties and Conferring Certain Powers Upon the Commissioner of Agriculture and Prescribing Penalties for Violation of This Act.

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

Mr. Magill introduced:

House Bill No. 364. A Bill for an Act to Amend and Re-enact Section 5, Chapter 106, Session Laws of 1927 as Amended and Re-enacted by Section 2, Chapter 105, Session Laws of 1931; Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of This Act.

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

Mr. Fitch introduced:

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

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

Mr. Fitch introduced:

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

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

Mr. Schauss introduced:

House Bill No. 367. A Bill for an Act to Amend and Re-enact Section 189b7 and 189b11 and 189b15 of the 1925 Supplement to the Compiled Laws of North Dakota; Relating to State Hail Indemnity Tax, Crop Affidavit, Insurability and Liens; Amount of Indemnity; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

#### SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### FORTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Hildebrand Eickhoff of Mandan.

The roll was called and all members were present except Representatives Beggs, Bieloh, Byrne, Frosaker, Jensen, Jones, Kapaun, Knudson of Steele, Olson of Adams, Page, Ritter, Stray, Wendland, White and Wick.

So a quorum was declared present.

#### REFERENCE TO THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 39th day after recess and 40th day and recommend that the same be corrected as follows:

Page 822, House Bill 83, Blair shows voting "no" whereas he voted "aye".

Page 827, line 18, correct the spelling of "Emons" and "Schlasinger".

In the Journal for February 12, insert the following on page 733.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A telegram from eight residents of Grand Forks requesting the passage of House Bill No. 193.

A communication from the Superintendent of Public Instruction was read.

Mr. Holm moved that the communication be printed in the Journal.

Mr. Twichell offered as a substitute motion that no action be taken on the communication, which motion prevailed.

**REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 6,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 41. 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.

Also,

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 6,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber.  
Bismarck, North Dakota.  
February 15, 1937.

Mr. Speaker: I have the honor to inform you that the

President has appointed as a Conference Committee on House Bill 40 and House Bill 42, Senators Watt, Streibel and Williams.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGES TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways.

Also,

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.

Also,

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes As-

sessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partiel Cancellation of the Original Amount of Such Taxes.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

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

SENATE CONCURRENT RESOLUTION "J".

Which the House has adopted.

Very respectfully,  
MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

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

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

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

Page 2 of the printed bill, Section 3, line 7 after the word and period "Good." insert the following: "Provided, however, that no permit shall be granted until all banking institutions within a radius of fifteen miles of the proposed situs of any such service station has been served with at least thirty (30) days notice and given an opportunity to be heard. If upon such hearing it shall be made to appear that some other banking institution than the applicant is more favorably located the applicant and can render better service to the community, the board may grant such favorably located institution the right to establish the station."

And when so amended recommend the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North



Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Semerad moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 210. A Bill for an Act Repealing Chapter 221 of the 1935 Session Laws of the State of North Dakota the Same Being an Act to Create a State Board of Public Welfare; Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 211. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners. Making it Optional for the County Commissioners to Establish Such Board; Repealing All Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

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

On page 1, line 1 in the title after the word "action", insert the word "heretofore".

On Section 1, line 1 after the word "action", insert the word "heretofore".

And when so amended, recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 220. A Bill for an Act to Amend and Re-enact Sections 3181, 3182, 3183, 3184 and 3185 of the Compiled Laws of North Dakota for 1913 Relating to the Burial Duties of the County Judge and Other Officers and Appropriations Relating Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

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

On the original bill, page 1, Section 2, line 1, strike out everything after the word "Whereas".

On line 2 strike out the first part of the line up to the words "the appropriation made".

In line 2 strike out the word "therefore" and insert in lieu thereof the words "for the State Planning Board".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 238. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life, Accident and Health Insurance Agents Who Are Residents of Another State.

Have had the same under consideration and recommend that the same be indefinitely postponed.

LEONAS MYERS,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

In Section 2 in printed bill at the end of line 7 insert the following words: "His last known Post Office Address, or to".

Also in Section 2, line 9 of the printed bill, after the word "deeds" insert the words "Or County Treasurer".

Also in Section 4, line 1, after the word "Tenant" insert the words "and owner".

Also in Section 4, line 3, after the word "court" insert the following "And in case where the owner reserves title to the property, including crops, he shall pay said taxes out of his portion of the proceeds thereof".

Also in Section 7, line 3, after the word "rents" insert the words "property and crops".

Also in Section 9, line 4, after the word "rents" insert the words "property and crops".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

Mr. Kapaun offered as a substitute motion that House Bill No. 252 be recommended for passage, which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

Mr. Burgum offered as a substitute motion that further consideration of House Bill No. 260 be indefinitely postponed.

The question being on Mr. Burgum's substitute motion, a division was called for, and the motion prevailed.

Mr. Caddell moved that the vote by which House Bill No. 260 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

The question being on Mr. Caddell's motion, a division was called for and the motion was lost.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 262. A Bill for an Act Relieving Owners of Motor Vehicles from all Liability for Damages Caused in the Driving, Operation, Management and Control of Such Vehicle Unless the Same Be Operated, Driven, Managed or Controlled by the Owner, or Unless the Owner Shall Be Personally Present in Such Motor Vehicle at the Time the Damage is Sustained. Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted.

Mr. Knudson of Steele offered as a substitute motion that further consideration of House Bill No. 262 be indefinitely postponed, which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 266. A Bill for an Act to Curb the Theft of Livestock by Truck by Requiring Livestock Truckers to Have with the Load, Display Upon Demand of Proper Officer and File with the Sheriff of the County and the First Recipient of Such Livestock from the Trucker, a Certificate Giving Information Relative to Such Livestock.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for Its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the Year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

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

In line 3 of the title of the bill after the word "required" and before the word "powers", insert in lieu thereof the following words "duties of carrier when shipment of livestock and poultry offered".

In Section 2 of the printed bill, line 13, strike out the words "seventy-five" and insert in lieu thereof the words "twenty-five".

In line 45, page 4 after the word "person", insert the following words "which bond shall cover the entire license period".

Sections 3, 4, and 5 up to 16 inclusive are to be numbered respectively 4 to 17, inclusive and add Section 3 as follows: "Shipment of livestock. That is shall be the duty of the agent of any transportation company, or common carrier or any such transportation company or common carrier within and operating in the State of North Dakota, to require of the shipper of, or person or persons offering for shipment any livestock or poultry, that the party or parties offering such shipment for transportation shall before the same is received for shipment to the said transportation company or carrier or agent thereof a livestock dealer's license for the current year in which such shipment is offered for transportation, or shall by affidavit show such shipper to be exempt from the provisions of this Act.

And when so amended recommend the same do pass.

W. W. TREFFRY,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935, Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Also,

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks



of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 181. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 193 of the 1933 Session Laws Relating to the Appointment of a Manager and Other Employees of the State Mill and Elevator.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Session Laws for the Year 1915, Relating to County Mutual Insurance Companies.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing

for an Appropriation to Reimburse the Permanent School Fund of the State.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

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

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Supplement to the Compiled Laws of North Dakota, Relating to County Mutual Insurance Companies, and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term

Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness, Valid and Legal, and Declaring an Emergency.

Also,

House Bill No. 128. A Bill for an Act to Amend and Re-enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Also,

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Also,

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

Were delivered to the Governor for his approval at the hour of 2:43 o'clock P. M., February 15, 1937.

CARL H. DITTMER,  
Chairman.

## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 41. 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.

Also,

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks

of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation

of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also.

House Bill No. 11. A Bill for an Act Making an Appro-

priation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 41. 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.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 181. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 193 of the 1933 Session Laws Relating to the Appointment of a Manager and Other Employees of the State Mill and Elevator.

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

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935, Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

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

#### SEVENTH ORDER OF BUSINESS

Mr. Symington moved that the vote by which House Bill No. 183 was lost be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 183 be placed at the head of the calendar, which motion prevailed.

Mr. Jensen moved that the House reconsider the vote by which House Bill No. 166 was lost, which motion prevailed.

Mr. Godwin moved that House Bill No. 166 be placed at the head of the calendar, which motion prevailed.

Mr. Wolf moved that House Bill No. 272 be transferred from the State Affairs Committee to the Committee on Ways and Means, which motion prevailed.



Mr. Godwin moved that the House recess for twenty minutes, which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 3:50, pursuant to recess, Speaker Dahl presiding.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

A Call of the House was demanded and granted.

Mr. O'Brien moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said 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, 61; nays, 47; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Hultstrand	Ritter
Anderson	Huseby	Sand
Anfinson	Jensen	Savre

Messrs.	Messrs.	Messrs.
Beaton	Knutson, LaMoure	Schauss
Beggs	Krank	Schimke
Biberdorf	Kraus	Seibel
Bieloh	Leum	Semerad
Billigmeier	Levin	Shurr, Bottineau
Bjornson	Livingston	Sticka
Brusseau	McIntee	Stray
Caddell	Myers	Thoreson
Dittmer	Nelson, Cass	Treffry
Fitch	Obach	Tuff
Frazier	Odegard	Tweten
Freitag	Olson, Adams	Urschel
Godwin	Olson, McLean	White
Greiser	Page	Williams
Hagen	Peterson, Bot'neau	Wolf
Haines	Pewe	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Oglesby
Benno	Johnson	Olson, Bowman
Black	Jury	Olson, Sargent
Blair	Just	Peterson, Renville
Brown	Kapaun	Peterson, Richland
Burgum	Knudson, Steele	Sandness
Byrne	LaBerge	Saumur
Dalzell	Langford	Severson
Day	McInnes	Shure, Cass
Dullea	Magill	Solberg
Frey	Morland	Symington
Frosaker	Morris	Thompson
Gessner	Niewoehner	Traynor
Gilberg	Nelson, Sargent	Trydahl
Goodlaxon	Norheim	Twichell
Graham	O'Brien	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Jones	Wick
Ireland	Wendland	

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

Mr. Adam moved that the vote by which House Bill No. 166 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that further consideration of House Bill No. 183 be deferred one legislative day, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction.

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, 107; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page
Akland	Holmquist	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	Magill	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fitch	Ireland	Wendland
Holthusen	Jones	Wick

So the bill passed and the title was agreed to.

## SEVENTH ORDER OF BUSINESS

Mr. Knutson of LaMoure moved that House Bill No. 116 be placed at the head of the calendar, which motion prevailed.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Mr. Speaker called Mr. Wolf to the chair.

Mr. Godwin asked unanimous consent to strike out the words "Provided, however, that the one million surplus in cash herein provided shall be maintained in the Hail Insurance Fund at all times", in lines 9, 10 and 11 of Section 21, page 24, which consent was denied.

Mr. Freitag moved the previous question, 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, 51; nays, 55; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Ritter
Akland	Holmquist	Sand
Anderson	Hultstrand	Savre
Anfinson	Huseby	Schauss
Beaton	Jensen	Schimke
Beggs	Just	Seibel
Bieloh	Knutson, LaMoure	Semerad
Billigmeier	Livingston	Shurr, Bottineau
Bjornson	McIntee	Stray
Brusseau	Myers	Thoreson
Caddell	Obach	Treffry
Frazier	Odegard	Tuff
Freitag	Olson, Adams	Tweten
Godwin	Olson, McLean	Urschel
Greiser	Peterson, Bot'neau	White
Hagen	Pewe	Williams
Haines	Rait	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Oglesby
Benno	Jury	Olson, Bowman

Messrs.	Messrs.	Messrs.
Black	Kapaun	Olson, Sargent
Blair	Knudson, Steele	Page
Brown	Krank	Peterson, Renville
Burgum	Kraus	Peterson, Richland
Byrne	LaBerge	Sandness
Dalzell	Langford	Saumur
Day	Leum	Severson
Dittmer	McInnes	Shure, Cass
Dullea	Magill	Solberg
Fitch	Morland	Sticka
Frey	Morris	Symington
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Trydahl
Goodlaxon	Norheim	Twichell
Graham	O'Brien	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Wendland
Holthusen	Levin	Wick
Ireland		

So the bill was lost.

Mr. Dahl: I vote "no" for the purpose of reconsideration.

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing 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, 86; nays, 15; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Pewe
Akland	Jury	Rait
Anderson	Just	Ritter
Anfinson	Knudson, Steele	Sand
Beaton	Krank	Sandness
Beggs	LaBerge	Saumur
Biberdorf	Leum	Savre
Billigmeier	Levin	Schauss
Bjornson	Livingston	Schimke
Brown	McInnes	Seibel
Brusseau	McIntee	Semerad

Messrs.	Messrs.	Messrs.
Caddell	Morland	Shure, Cass
Dalzell	Myers	Shurr, Bottineau
Dittmer	Niewoehner	Solberg
Fitch	Nelson, Cass	Sticka
Frazier	Nelson, Sargent	Stray
Freitag	Norheim	Symington
Gessner	Obach	Thoreson
Gilberg	O'Brien	Treffry
Godwin	Odegard	Trydahl
Goodlaxon	Oglesby	Tuff
Greiser	Olson, Adams	Tweten
Hagen	Olson, Bowman	Twichell
Haines	Olson, McLean	Urschel
Hofstrand	Olson, Sargent	White
Holm	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Renville	Mr. Speaker
Huseby	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Dullea	Kraus
Benno	Frey	Magill
Bieloh	Frosaker	Morris
Black	Graham	Severson
Day	Kapaun	Thompson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Ireland	Langford
Burgum	Johnson	Traynor
Byrne	Jones	Wendland
Holthusen	Knutson, LaMoure	Wick

So the bill passed and the title was agreed to.

Mr. Holm: I voted for this measure not because it is a good measure but because perhaps it contains improvements over the law we already have. When the measure was first put before the House here, it had teeth in it. It would have helped the farmers. But you took all that part out of it. Some slight remnants may be left to make it better than the old law, however. Therefore I vote "aye".

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Was read the second time.

Mr. Godwin moved that House Bill No. 235 be referred to General Orders for amendments, which motion prevailed.

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractice Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

Mr. Magill moved that House Bill No. 193 be referred to General Orders for amendment.

Mr. Godwin moved the previous question, which motion prevailed.

The question being on Mr. Magill's motion to refer House Bill No. 193 to General Orders, the motion was lost.

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractice Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing 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, 70; nays, 38; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Pewe
Akland	Johnson	Rait
Anderson	Jury	Ritter
Anfinson	Just	Sand
Beaton	Kapaun	Sandness
Beggs	Knutson, LaMoure	Savre
Benno	Krank	Schauss
Bieloh	LaBerge	Schimke
Billigmeier	Langford	Seibel
Bjornson	Levin	Semerad
Brown	Livingston	Severson
Brusseau	McIntee	Shurr, Bottineau
Caddell	Morland	Solberg
Dittmer	Myers	Sticka
Frazier	Obach	Stray
Freitag	O'Brien	Thoreson
Frey	Odegard	Treffry
Godwin	Oglesby	Tuff
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Williams

Messrs.	Messrs.	Messrs.
Holmquist	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Richland	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Goodlaxon	Norheim
Biberdorf	Graham	Olson, Sargent
Black	Hofstrand	Page
Blair	Holm	Peterson, Renville
Burgum	Knudson, Steele	Saumur
Byrne	Kraus	Shure, Cass
Dalzell	Leum	Symington
Day	McInnes	Thompson
Dullea	Magill	Traynor
Fitch	Morris	Trydahl
Frosaker	Niewoehner	Tweten
Gessner	Nelson, Cass	Twichell
Gilberg	Nelson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Jones	Wick
Ireland	Wendland	

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

Mr. Brusseau moved that the vote by which House Bill No. 193 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: I vote "no" on this bill because of the provisions in Section 3.

Mr. Trydahl: I vote "no" because of line 7 in Section 1, and because of the requirements of Section 3.

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District 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, 94; nays, 8; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Anderson	Holmquist	Olson, McLean
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville



Messrs.	Messrs.	Messrs.
Beaton	Jensen	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jury	Rait
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brusseau	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Day	Livingston	Solberg
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Magill	Symington
Freitag	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Traynor
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Norheim	Twichell
Graham	Obach	Urschel
Greiser	O'Brien	White
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Frazier	Seibel
Brown	Odegard	Shurr, Bottineau
Dalzell	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	LaBerge	Wendland
Holthusen	Olson, Sargent	Wick
Ireland	Ritter	Mr. Speaker
Jones	Treffry	

So the bill passed and the title was agreed to.

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Was read the second time.

Mr. Traynor asked unanimous consent to amend House Bill No. 230, as follows: At the end of Section 1, line 10, add the following language: "Provided further that during the month of December following the taking effect of this

act that any and all unpaid accumulations of such interest shall also be paid or deducted as above provided.

Which consent was granted.

Mr. Traynor moved that the rules be suspended and that House Bill No. 230 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Blair	Langford	Seibel
Brown	Leum	Semerad
Brusseau	Levin	Severson
Burgum	Livingston	Shure, Cass
Byrne	Magill	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Nelson, Cass	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Niewoehner	Trydahl
Frey	Norheim	Tuff
Frosaker	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gessner	Jones	Shurr, Bottineau
Gilberg	LaBerge	Wendland
Holthusen	Peterson, Renville	Wick
Ireland		

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

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Power Upon Municipalities; and Declaring an Emergency.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 216. A Bill for an Act to Repeal Chapter 255 of the Session Laws of 1931, Relating to Teachers Oath or Affirmation to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of this State.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House recess until 7:30 p. m., which motion prevailed and the House recessed.

AFTER RECESS

The House convened at 7:30 p. m., pursuant to recess, Speaker Dahl presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including

Therein Coal Mining Near State, County and Township 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, 93; nays, 3; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Bowman
Akland	Holm	Olson, McLean
Anderson	Holmquist	Olson, Sargent
Anfinson	Hultstrand	Page
Beasley	Ireland	Peterson, Bot'neau
Beaton	Jensen	Peterson, Renville
Beggs	Johnson	Peterson, Richland
Benno	Just	Pewe
Biberdorf	Jury	Rait
Billigmeier	Knudson, Steele	Ritter
Ejornson	Knutson, LaMoure	Sand
Blair	Krank	Saumur
Brown	LaBerge	Savre
Brusseau	Langford	Schauss
Burgum	Leum	Schimke
Byrne	Levin	Seibel
Caddell	Livingston	Semerad
Dalzell	McInnes	Severson
Day	McIntee	Shurr, Bottineau
Dittmer	Magill	Solberg
Dullea	Morland	Sticka
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Norheim	Urschel
Godwin	Obach	White
Goodlaxon	O'Brien	Williams
Greiser	Odegard	Wolf
Hagen	Oglesby	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Shure, Cass	Trydahl	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Huseby	Stray
Black	Jones	Thoreson
Fitch	Kapaun	Traynor
Graham	Kraus	Wendland
Haines	Olson, Adams	Wick
Holthusen	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

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, 91; nays, 10; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Akland	Ireland	Peterson, Richland
Anderson	Jensen	Pewe
Anfinson	Johnson	Rait
Beaton	Jury	Ritter
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schimke
Black	LaBerge	Schauss
Blair	Langford	Seibel
Brown	Leum	Semerad
Brusseau	Levin	Severson
Byrne	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Morland	Sticka
Frazier	Myers	Symington
Freitag	Niewoehner	Thompson
Frosaker	Nelson, Cass	Traynor
Gessner	Norheim	Treffry
Gilberg	Obach	Trydahl
Goodlaxon	O'Brien	Tuff
Godwin	Odegard	Tweten
Graham	Olson, Adams	Twichell
Greiser	Olson, Bowman	Urschel
Hagen	Olson, McLean	White
Hofstrand	Page	Williams
Holm	Peterson, Bot'neau	Mr. Speaker
Hultstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Frey	Nelson, Sargent
Burgum	Magill	Oglesby
Caddell	Morris	Olson, Sargent
Dullea		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Holthusen	Thoreson
Fitch	Jones	Wendland
Haines	Kraus	Wick
Holmquist	Stray	Wolf

So the bill passed and the title was agreed to.

Mr. Page moved that the vote by which House Bill No. 229 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 Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Was read the second time.

Mr. Twichell asked unanimous consent to correct the spelling of the words "allotted", "two" and "pursuant", in the original of House Bill No. 217, which consent was granted.

Mr. Twichell moved that the rules be suspended and that House Bill No. 217 be considered properly re-engrossed and placed on 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, 109; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Hultstrand	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brown	LaBerge	Seibel
Brusseau	Langford	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Greiser	Olson, Bowman	Williams
Hagen	Olson, Adams	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Wendland	Wick
Jones		

So the bill passed and the title was agreed to.

Mr. Twichell 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.

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, 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, 79; nays, 26; absent and not voting 8.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Haines	Olson, Adams
Anderson	Hofstrand	Olson, Bowman
Anfinson	Holm	Olson, Sargent
Beasley	Hultstrand	Page
Beaton	Huseby	Peterson, Bot'neau
Beggs	Jensen	Peterson, Renville
Benno	Johnson	Peterson, Richland
Bieloh	Jury	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knudson, Steele	Sandness
Black	LaBerge	Saumur
Blair	Langford	Schauss
Brown	Leum	Schimke
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Sticka
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Trydahl
Gessner	Norheim	Twichell
Gilberg	Obach	Urschel
Godwin	O'Brien	White
Graham	Odegard	Mr. Speaker
Hagen		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Knutson, LaMoure	Semerad
Brusseau	Myers	Solberg
Frazier	Niewoehner	Stray
Freitag	Oglesby	Treffry
Goodlaxon	Olson, McLean	Tuff
Greiser	Pewe	Tweten
Holmquist	Rait	Williams
Ireland	Savre	Wolf
Just	Seibel	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Akland	Jones	Wendland
Burgum	Krank	Wick
Holthusen	Kraus	

So the bill passed and the title was agreed to.

Mr. Dullea moved that the vote by which House Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



## EXPLANATION OF VOTES

Mr. Frazier: I vote "no" on this bill and want my explanation recorded in the Journal. I vote "no" on this bill because I know we are appropriating six thousand dollars to keep up a privately owned institution, on which this House denied the right to hear a report. I vote "no".

Mr. Hagen: I am as opposed as ever to increase in salaries. Outside of that I have no objection. I vote "aye".

Mr. Knutson: I vote "no" on account of the raise in salaries.

Mr. Magill: I vote "aye" with the same reservation as stated by Mr. Hagen.

Mr. Williams: I vote "no" on this because there are only five percent of the farmers of the State of North Dakota who have enough money to send their children there.

## SEVENTH ORDER OF BUSINESS

Mr. Frazier moved that the vote by which House Bill No. 260 was indefinitely postponed be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 260 be placed on the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

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, 72; nays, 37; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	O'Brien
Anderson	Holm	Olson, Bowman
Anfinson	Hultstrand	Olson, Sargent
Beasley	Huseby	Page
Beaton	Jensen	Peterson, Bot'neau
Benno	Johnson	Peterson, Renville
Billigmeier	Jury	Ritter
Blair	Kapaun	Sand
Burgum	Knudson, Steele	Sandness
Byrne	Krank	Saumur
Caddell	Kraus	Schauss
Dalzell	LaBerge	Semerad
Day	Langford	Shure, Cass
Dittmer	Leum	Shurr, Bottineau

Messrs.	Messrs.	Messrs.
Dullea	Levin	Sticka
Fitch	Livingston	Stray
Frazier	McInnes	Thompson
Frosaker	Magill	Thoreson
Gessner	Morland	Traynor
Gilberg	Morris	Trydahl
Godwin	Nelson, Cass	Twichell
Graham	Nelson, Sargent	Urschel
Hagen	Norheim	White
Haines	Obach	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Rait
Beggs	Just	Savre
Biberdorf	Knutson, LaMoure	Schimke
Bieloh	McIntee	Seibel
Bjornson	Myers	Severson
Black	Niewoehner	Solberg
Brown	Odegard	Symington
Brusseau	Oglesby	Treffry
Freitag	Olson, Adams	Tuff
Frey	Olson, McLean	Tweten
Goodlaxon	Peterson, Richland	Williams
Greiser	Pewe	Wolf
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Wendland	Wick
Jones		

So the bill passed and the title was agreed to.

Mr. Fitch 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.

#### EXPLANATIONS OF VOTES

Mr. Akland: I vote "no" because I was not sent down here to raise appropriations.

Mr. Knutson of LaMoure: I vote "no" for the reason that they are putting in a new swine building, sheep building and ice cream plant, and I don't believe that they should do that in these hard times. Therefore I vote "no".

Mr. Olson of Adams: I vote "no" on this bill because I notice there is an appropriation of \$550.00 for the experimental station at Hettinger which we are trying to give away at this time. Therefore I vote "no".

Mr. Williams: I think it is a crime for us old farmers to come up here and do anything like this when we know there is suffering all over the prairies of North Dakota, and we are

sitting in this nice, lighted room, raising the taxes on the men that have kept that institution going for the last fifty years. It is a crime. I vote "no".

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

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, 78; nays, 30; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Akland	Hultstrand	Olson, Bowman
Anfinson	Huseby	Olson, Sargent
Beasley	Jensen	Page
Beaton	Johnson	Peterson, Bot'neau
Benno	Jury	Peterson, Renville
Billigmeier	Kapaun	Peterson, Richland
Bjornson	Knudson, Steele	Pewe
Black	Knutson, LaMoure	Ritter
Blair	Krank	Sand
Brusseau	Kraus	Sandness
Burgum	LaBerge	Saumur
Byrne	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Sticka
Dullea	McIntee	Symington
Fitch	Magill	Thompson
Frazier	Morris	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Graham	Odegard	White

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Hofstrand	Savre
Beggs	Holmquist	Schimke
Biberdorf	Ireland	Seibel
Bieloh	Just	Solberg
Brown	Morland	Stray
Freitag	Myers	Tuff
Goodlaxon	Niewoehner	Tweten
Greiser	Oglesby	Williams
Hagen	Olson, McLean	Wolf
Haines	Rait	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Schauss	Wick
Jones	Wendland	

So the bill passed and the title was agreed to.

Mr. Dullea 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.

#### EXPLANATION OF VOTES

Mr. Frazier: I vote "aye" on this bill not because I think it is any good, but because it is one of those bills where we must meet the federal government.

Mr. Magill: I vote "aye" on this bill because I think that the boys' and girls' club work alone is worth the money.

Mr. Stray: I vote "no" on this bill because I consider it the biggest political machine there is in the State of North Dakota.

Mr. Thompson: I vote "aye" on this bill. This is one place where the farmers can get \$490,000.00 from the government by putting in two thousand, and that's where our boys and girls get some benefit. I vote "aye".

Mr. Williams: I vote "no" on this because it is making a bunch of suckers out of us old farmers.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who are Non-Residents or Corporations Other Than United States Corporations.

Was read the second time.

Mr. Trydahl asked unanimous consent to correct the spelling of the word "read" in the last line of Section 1 of the original bill, which consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 139 be considered properly re-engrossed and placed on 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, 103, nays 1; absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Hultstrand	Peterson, Bot'neau

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brown	LaBerge	Semerad
Brusseau	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Those voting in the negative were:

**Messrs.**  
Seibel

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beggs	Jones	Ritter
Godwin	Kapaun	Wendland
Holthusen	Levin	Wick

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

#### SEVENTH ORDER OF BUSINESS

Mr. Thoreson moved that House Bill No. 157 be referred to the Committee on Temperance, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That

the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, 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, 76; nays, 27; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Page
Akland	Hagen	Peterson, Bot'neau
Anderson	Haines	Peterson, Renville
Anfinson	Hofstrand	Peterson, Richland
Beaton	Holm	Pewe
Beggs	Holmquist	Rait
Benno	Huseby	Sand
Biberdorf	Ireland	Sandness
Bieloh	Jensen	Savre
Billigmeier	Knudson, Steele	Schauss
Bjornson	Krank	Schimke
Brown	LaBerge	Seibel
Brusseau	Langford	Semerad
Burgum	Leum	Solberg
Byrne	Livingston	Sticka
Caddell	McInnes	Stray
Dalzell	McIntee	Symington
Day	Magill	Thoreson
Dittmer	Morland	Treffry
Dullea	Myers	Tuff
Frazier	Niewoehner	Tweten
Freitag	O'Brien	Urschel
Frey	Odegard	White
Godwin	Olson, Bowman	Williams
Goodlaxon	Olson, McLean	Wolf
Graham		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Ritter
Black	Kraus	Severson
Blair	Morris	Shure, Cass
Fitch	Nelson, Sargent	Shurr, Bottineau
Gessner	Norheim	Thompson
Gilberg	Obach	Traynor
Hultstrand	Oglesby	Trydahl
Johnson	Olson, Adams	Twichell
Jury	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Frosaker	Knutson, LaMoure	Saumur
Holthusen	Levin	Wendland
Jones	Nelson, Cass	Wick
Just		

So the bill passed and the title was agreed to.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

Mr. Caddell asked unanimous consent to amend the bill as follows:

In line 3 of Section 1, following the comma, change the word "as" to read "is".

The consent was granted.

Mr. Caddell moved that the rules be suspended and that House Bill No. 111 be considered properly re-engrossed and placed on 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, 80; nays, 20; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beaton	Jensen	Sand
Beggs	Knudson, Steele	Sandness
Benno	Knutson, LaMoure	Saumur
Biberdorf	Krank	Savre
Billigmeier	LaBerge	Schauss
Bjornson	Langford	Seibel
Brown	Leum	Semerad
Brusseau	Livingston	Severson
Byrne	Magill	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Frazier	Morland	Stray
Freitag	Morris	Symington
Frey	Myers	Thompson
Frosaker	Niewoehner	Thoreson
Gilberg	Obach	Treffry

Messrs.	Messrs.	Messrs.
Godwin	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Graham	Olson, Bowman	Urschel
Greiser	Olson, McLean	White
Hagen	Page	Williams
Haines	Peterson, Bot'neau	Wolf
Hofstrand	Peterson, Renville	Mr. Speaker
Holm	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Oglesby
Beasley	Johnson	Olson, Adams
Bieloh	Jury	Olson, Sargent
Black	Kraus	Shure, Cass
Blair	Nelson, Cass	Traynor
Dullea	Nelson, Sargent	Trydahl
Fitch	Norheim	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Jones	Schimke
Day	Just	Twichell
Dittmer	Kapaun	Wendland
Gessner	Levin	Wick
Holthusen		

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

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, 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, as amended the roll was called and there were ayes, 67; nays, 41; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beaton	Jensen	Sand
Beggs	Knutson, LaMoure	Schauss
Biberdorf	Krank	Schimke
Bieloh	Kraus	Seibel
Billigmeier	LaBerge	Semerad
Bjornson	Leum	Shurr, Bottineau
Brown	Levin	Solberg



Messrs.	Messrs.	Messrs.
Brusseau	Livingston	Sticka
Byrne	McInnes	Stray
Caddell	McIntee	Thoreson
Dittmer	Morland	Treffry
Fitch	Myers	Tuff
Frazier	Nelson, Cass	Tweten
Freitag	Obach	Urschel
Godwin	Odegard	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Page
Benno	Johnson	Peterson, Renville
Black	Jury	Peterson, Richland
Blair	Kapaun	Sandness
Burgum	Knudson, Steele	Saumur
Dalzell	Langford	Savre
Day	Magill	Severson
Dullea	Morris	Shure, Cass
Frey	Niewoehner	Symington
Frosaker	Nelson, Sargent	Thompson
Gessner	Norheim	Traynor
Gilberg	O'Brien	Trydahl
Goodlaxon	Oglesby	Twichell
Graham	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Holthusen	Just	Wick
Jones	Wendland	

So the bill passed and the title was agreed to.

Mr. Schauss 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.

Mr. Kapaun: I vote "no" because I believe the Hail Department has ample funds in cash and uncollected taxes to carry on the duties of that office and that this money can be used to better advantage in our schools and for poor relief.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Power Upon Municipalities; and Declaring an Emergency.

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

Senate Bill No. 216. A Bill for an Act to Repeal Chapter 255 of the Session Laws of 1931, Relating to Teachers Oath or Affirmation to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of this State.

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

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

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

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 3839 of the Compiled Laws of North Dakota for the Year 1913.

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

Senate Bill No. 154. A Bill for an Act to Provide a Method of Voting at any General or Primary Election by Electors Absent or Anticipating Being Absent on the Day of Such Election from the County in Which They are Electors, Repealing Sections 992, 993, 995 and 996 of the Compiled Laws of North Dakota 1913 as Amended by Chapter 136 of the 1931 Session Laws and by Chapter 107 of the 1933 Session Laws, and Repealing Sections 994, 997, 998, 999, 1000, 1001, 1002, 1003 and 1004 of the Compiled Laws of North Dakota 1913, and Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Election and Election Privileges.

#### GENERAL ORDERS

Mr. Brusseau moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Brusseau to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 234. A Bill for an Act Requiring All Li-

icensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything after the Enacting Clause and insert the following:

SECTION 1. That the State Treasurer of the State of North Dakota as custodian of the Liquor Fund, and collector of revenue developing from the sale of liquor stamps required to be placed on all containers of beverages containing more than four per centum (4%) alcohol by weight, is hereby authorized and empowered to demand, require and receive from any licensed wholesale liquor dealer in North Dakota, and from any licensed retail liquor dealer in North Dakota, any monthly, weekly or daily report or reports in such form as the State Treasurer shall determine upon; also any book, record, document, invoice and voucher kept, maintained, received or issued by such licensed dealer in connection with the business of such licensee, which in the judgment of the State Treasurer as custodian of the liquor fund may be necessary to properly administer and discharge the duties of said State Treasurer as custodian of the Liquor Fund, and secure the maximum of revenue to be properly paid into said Liquor Fund, and to properly carry out the provisions of law.

SECTION 2. If default be made, or if any of such licensees shall fail or refuse to furnish any of the reports or information referred to in Section 1 of this act upon request being made therefor, the State Treasurer as custodian of such liquor fund or any of his duly appointed representatives are hereby empowered to enter upon delinquent licensees' premises where said records are kept and make such examination as is necessary to compile the required report, and that cost of such examination shall be paid by the dealer whose reports are in default, and in addition to such cost of examination said defaulting dealer shall be subject to a fine of \$50.00 for each such default.

SECTION 3. In the event of a default, failure or refusal to furnish the information referred to in Section 1 of this act, the Treasurer, in his discretion, may refuse to sell or deliver to such defaulting licensee any liquor stamps until such default is made good.

And when so amended recommend the same do pass.

Also,

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 286, Session Laws 1935, to Include Sheriffs, Village Marshals and Constables as Employees within the Contemplation of the Workmen's Compensation Act.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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 recommend the adoption of the standing committee's amendments as follows:

In the printed bill, page 3, line 31, change the figures "1,200.00" to read "\$12,000.00" as in the original bill.

Page 3, line 34, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "500.00".

Page 3, line 36, strike out the figures "750.00" and insert in lieu thereof the figures "250.00".

Page 3, line 37, strike out the words "Travel Expenses" and the figures "200.00".

Page 3, line 39, strike out the figures "\$69,200.00" and insert in lieu thereof the figures "\$68,000.00".

Page 4, line 56, strike out the figures "20,000.00" and insert in lieu thereof the figures "16,000.00".

Page 4, line 58, strike out the figures "\$125,000.00" and insert in lieu thereof the figures "\$121,000.00".

Page 5, line 70, strike out the figures "800.00" and insert in lieu thereof the figures "400.00".

Page 5, line 71, strike out the figures "800.00" and insert in lieu thereof the figures "600.00".

Page 5, line 72, strike out the figures "2,500.00" and insert in lieu thereof the figures "3,000.00".

Page 5, line 76, strike out the figures "28,924.00" and insert in lieu thereof the figures "28,824.00".

Page 5, line 82, strike out the figures "3,800.00" and insert in lieu thereof the figures "3,500.00".

Page 5, line 83, strike out the figures "7,000.00" and insert in lieu thereof the figures "5,000.00".

Page 5, line 84, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 5, line 86, strike out the word "are" and insert in lieu thereof the word "as" and strike out entirely the figure "6" and the "comma" following it.

Page 5, line 89, strike out the figures "\$16,800.00" and insert in lieu thereof the figures "\$13,500.00".

Page 7, line 134, strike out the figures "2,782.50" and insert in lieu thereof the figures "1,500.00".

Page 7 below line 134, strike out the line No. "155" and change it to "135".

Page 7, line 136, strike out the figures "765.00" and insert in lieu thereof the figures "500.00".

Page 7, line 137, strike out the figures "400.00" and insert in lieu thereof the figures "200.00".

Page 8, line 139, strike out the figures "\$43,067.66" and insert in lieu thereof the figures "\$41,320.16".

Page 8, line 145, strike out the figures 3,840.00" and insert in lieu thereof the figures "4,440.00".

Page 8, line 155, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

Page 8, line 157, strike out the figures "\$29,223.76" and insert in lieu thereof the figures "\$28,823.76".

Page 9, line 166, strike out the figures "500.00" and insert in lieu thereof the figures "400.00".

Page 9, line 167, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 9, line 171, strike out the figures "\$12,073.00" and insert in lieu thereof the figures "\$10,973.00".

Page 9, line 180, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 9, line 181, strike out the figures "1,000.00" and insert in lieu thereof the figures "750.00".

Page 9, line 182, strike out the figures "1,000.00" and insert in lieu thereof the figures "500.00".

Page 9, line 184, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,000.00".

Page 9, line 185, strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Page 10, line 197, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "2,000.00".

Page 10, line 204, strike out the figures "\$36,804.00" and insert in lieu thereof the figures "\$36,804.00".

Page 10, line 208, strike out the figures "\$3,600.00" and insert in lieu thereof the figures "\$3,400.00".

Page 11, line 211, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 11, line 213, strike out the figures "16,000.00" and insert in lieu thereof the figures "15,000.00".

Page 11, line 215, strike out the figures "18,000.00" and insert in lieu thereof the figures "24,000.00".

Page 11, line 218, strike out the figures "\$43,380.00" and insert in lieu thereof the figures "\$47,880.00".

Page 11, line 226, strike out the figures "1,200.00" and insert in lieu thereof the figures "1,000.00".

Page 11, line 231, strike out the figures "1,200.00" and insert in lieu thereof the figures "1,000.00".

Page 11, line 233, strike out the figures "\$21,244.32" and insert in lieu thereof the figures "\$20,844.32".

Page 12, line 245, strike out the figures "2,160.00" and insert in lieu thereof the figures "2,280.00".

Page 12, line 246, strike out the word "Three" and insert in lieu thereof the words "Four Qualified". On the same line strike out the figures "9,000.00" and insert in lieu thereof the figures "12,000.00".

Page 12, line 251, strike out the figures "600.00" and insert in lieu thereof the figures "400.00".

Page 12, line 254, strike out the figures "12,000.00" and insert in lieu thereof the figures "15,000.00".

Page 12, line 257, strike out the figures "\$38,144.00" and insert in lieu thereof the figures "\$44,064.00".

Page 13, line 271, strike out the figures "14,100.00" and insert in lieu thereof the figures "12,100.00".

Page 13, line 277, strike out the figures "7,000.00" and insert in lieu thereof the figures "6,000.00".

Page 14, line 286, strike out the figures "\$94,004.00" and insert in lieu thereof the figures "\$91,004.00".

Page 14, line 299, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Page 14, line 301, strike out the figures "\$18,285.00" and insert in lieu thereof the figures "\$17,285.00".

Page 15, line 316, strike out the figures "3,538.94" and insert in lieu thereof the figures "4,080.00".

Page 15, line 329, after the word "Sales" insert a "comma" and the word "Loans".

Page 16, line 331, strike out the figures "\$67,465.34" and insert in lieu thereof the figures "\$68,006.40".

Page 16, line 339, strike out the figures "700.00" and insert in lieu thereof the figures "500.00".

Page 16, line 340, strike out the figures "500.00" and insert in lieu thereof the figures "400.00".

Page 16, line 341, strike out the figures "1,500.00" and insert in lieu thereof the figures "1,200.00".

Page 16, line 343, strike out the figures "24,000.00" and insert in lieu thereof the figures "20,000.00".

Page 16, line 346, strike out the figures "\$73,360.80" and insert in lieu thereof the figures "\$68,760.80".

Page 17, line 362, add an "s" to the word "Clerk" and strike out the words "Refund Dept."

Page 17, line 369, strike out the figures "4,000.00" and insert in lieu thereof the figures "3,500.00".

Page 17, line 370, insert the words "Special Services in Tax Litigation" and the figures "2,000.00".

Page 17, line 371, strike out the figures "\$72,320.00" and insert in lieu thereof the figures "\$73,820.00".

Page 18, line 385, strike out the figures "700.00" and insert in lieu thereof the figures "600.00".

Page 18, line 386, strike out the figures "450.00" and insert in lieu thereof the figures "300.00".

Page 18, line 388, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "2,000.00".

Page 18, line 392, strike out the figures "\$89,306.80" and insert in lieu thereof the figures "\$88,556.80".

Page 18, line 396, strike out the figures "1,140.00" and insert in lieu thereof the figures "1,340.00".

Page 19, line 403, strike out the words "Dues National Association" and the figures "200.00".

Page 19, line 416, strike out the figures "600.00" and insert in lieu thereof the figures "400.00".

Page 19, line 417, strike out the figures "400.00" and insert in lieu thereof the figures "200.00".

Page 19, line 420, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 20, line 426, strike out the figures "\$19,650.80" and insert in lieu thereof the figures "\$19,150.80".

Page 20, line 429, strike out the figures "3,840.00" and insert in lieu thereof the figures "4,040.00".

Page 20, line 433, strike out the words "Furniture and Fixtures" and the figures "200.00".

Page 20, line 436, strike out the figures "3,000.00" and insert in lieu thereof the figures "2,000.00".

Page 20, line 441, strike out the figures "\$16,360.00" and insert in lieu thereof the figures "\$15,360.00".

Page 20, line 446, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 20, line 447a, strike out the figures "150.00" and insert in lieu thereof the figures "100.00".

Page 20, line 447, strike out the figures "150.00" and insert in lieu thereof the figures "100.00".

Page 21, line 449, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 21, line 450, strike out the figures "200.00" and insert in lieu thereof the figures "100.00".

Page 21, line 452, strike out the figures "\$6,940.00" and insert in lieu thereof the figures "\$6,540.00".

Page 21, line 459, strike out the figures "2,040.00".

Page 21, line 461, insert the words "And Clerk".

Page 21, line 462, strike out the word "Clerk" and the figures "1,800.00".

Page 21, line 468, strike out the figures "300.00" and insert in lieu thereof the figures "200.00".

Page 21, line 470, strike out the figures "\$18,142.00" and insert in lieu thereof the figures "\$14,202.00".

Page 22, line 475, strike out the figures "200.00" and insert in lieu thereof the figures "100.00".

Page 22, line 476, strike out the figures "200.00" and insert in lieu thereof the figures "75.00".

Page 22, line 479, strike out the word "Travel" and the figures "200.00".

Page 22, line 481, strike out the figures "\$4,450.00" and insert in lieu thereof the figures "4,025.00".

Page 22, line 493, strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,500.00".

Page 22, line 495, strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,500.00".

Page 23, line 504, after the figures "1929" insert a "period" and the following words: "Provided that \$140.00 of the amount appropriated for this Subdivision shall become available upon the Passage and Approval." Also strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,440.00".

Page 23, line 506, strike out the figures "\$2,300.00" and insert in lieu thereof the figures "\$2,440.00".

And the further amendments:

Amend the committee report by changing the figure in line 39 of page 3 to read "\$68,000.00" instead of "\$6,800.00".

Correct the Committee report on page 798, 8th line from the bottom, by striking out the figures "197" and inserting in lieu thereof the figures "189"; also strike out the figures "2,500.00" and insert in lieu thereof the figures "53,390.00".



In line 204 on page 10, strike out the figures "36,804.80" and insert in lieu thereof the figures "36,304.00".

Strike out lines 458 and 459 on page 21.

And when so amended recommend the same do pass.

HARRY BRUSSEAU,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Wolf moved that the House reconsider the motion by which House Bill No. 272 was transferred from the State Affairs Committee to the Committee on Ways and Means, which motion prevailed.

Mr. Wolf moved that House Bill No. 343 be transferred from the State Affairs Committee to the Committee on Ways and Means.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: C. D. Page, Grand Forks; Thos. Shea, Hazelton; Mrs. Clara Usselman, Fargo; Herman Brandenburg, Bowman; L. F. Henry, Jamestown; P. Olson, Minot, N. D.; O. Flaten, Minot, N. D.; Mrs. J. M. Joines, Berthold; Myina Black, Foxholm; F. E. Diehl, Bismarck; Mrs. F. E. Diehl, Bismarck; Elmer Judd, Cando; O. E. Vandermark, Hamilton; Phil Leonard, Minneapolis, Minn.; Earl B. Matteson, Inkster; Dorothy Hargrave, Missouri; Lydia Sweitz, Jamestown; Theo Kaldor, Hillsboro; John Larson, Mayville; Ole Garrslow, Walcott; Amanda Adam, Killdeer; Leon Ellisthorp, Minot; Earl Gregory, Minot; Bert Gorman, Fargo; O. B. Meriystad, Minot; Otto Schwandt, Mandan; John Bang, Dunn Center; G. F. Lamb, Michigan;

Mr. Wolf moved that the House recess until 12:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-SECOND DAY AFTER RECESS AND  
FORTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

The House convened at 12:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the Senate be asked to return Sen-  
ate Concurrent Resolution "J", which motion prevailed.

GENERAL ORDERS

Mr. Bjornson moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders; which motion prevailed.

The Speaker called Mr. Bjornson to the chair, and the  
House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 246. A Bill for an Act to Amend and Re-  
enact Section 2, of Chapter 141, of the 1927 Session Laws,  
Relating to the Prevention of Fraud and Deception in the  
Manufacture and Sale of Concentrated, Commercial Feeding  
Stuffs and Providing for Registration and Labeling Thereof  
and Repealing Acts in Conflict Therewith.

And recommend the adoption of the Standing Committee's  
amendments as follows:

On original bill, Section 1, line 1, strike out the word "in"  
and insert in lieu thereof the word "that".

On line 2 in the same Section after the word "law", strike out the balance of the Section down to and including the comma after the word "therewith" which is in line 4 on the original bill and line 5 on the printed bill.

And the further amendment:

After the word "Laws" in line 2 of Section 1, strike out the words "being a law".

And when so amended recommend that the same do pass.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1935 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill, page 1, Section 1, line 5 which is line 7 on the printed bill after the word "bureau", insert in lieu thereof the words "for the biennium".

At the end of Section 2, strike out the word "liable" and insert in lieu thereof the word "available".

And amend the committee report to read as follows:

Line 7 following the word "bureau" and before the comma, insert the words "for the biennium".

Amend the committee report by striking out "Section 2" and insert in lieu thereof "Section 1" in line 5 of the committee's amendments.

And when so amended recommend that the same do pass.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

And recommend the adoption of the Standing Committee's amendments as follows:

Page 2 of the printed bill, Section 3, line 7 after the word and period "Good." insert the following: "Provided, however, that no permit shall be granted until all banking institutions within a radius of fifteen miles of the proposed situs of any such service station has been served with at least thirty (30) days notice and given an opportunity to be heard. If upon such hearing it shall be made to appear that some other banking institution than the applicant is more favorably located the applicant and can render better

service to the community, the board may grant such favorably located institution the right to establish the station."

And the further amendments:

Amend the committee report by adding a comma after the word "located" in line 8 of the committee amendments, and in the same line striking out the words "the applicant".

And when so amended, recommend that the same do pass.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

On page 1, line 1 in the title after the word "action", insert the word "heretofore".

On Section 1, line 1 after the word "action", insert the word "heretofore".

And the further amendments:

Correct the committee report by striking out the word "action" in each amendment and inserting in lieu thereof the word "actions".

And when so amended recommend the same do pass.

Also,

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On the original bill, page 1, Section 2, line 1, strike out everything after the word "Whereas".

On line 2 strike out the first part of the line up to the words "the appropriation made".

In line 2 strike out the word "therefore" and insert in lieu thereof the words "for the State Planning Board".

And the further amendments:

Correct the committee report by striking out the first amendment and inserting in lieu thereof the following amendment:

On page 1, line 1 of Section 2, strike out the balance of the line following the word "Whereas" and in line 2 of Section 2 strike out the words "State Planning Board is very questionable and".

In line 7 of the committee amendments change "therefore" to read "therefor."

And when so amended recommend that the same do pass.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In Section 2 in printed bill at the end of line 7 insert the following words: "His last known Post Office Address, or to".

Also in Section 2, line 9 of the printed bill, after the word "deeds" insert the words "Or County Treasurer."

Also in Section 4, line 1, after the word "Tenant" insert the words "and owner".

Also in Section 4, line 3, after the word "court" insert the following "And in case where the owner reserves title to the property, including crops, he shall pay said taxes out of his portion of the proceeds thereof".

Also in Section 7, line 3, after the word "rents" insert the words "property and crops".

Also in Section 9, line 4, after the word "rents" insert the words "property and crops".

And when so amended recommend that the same do pass.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for Its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among

Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the Year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 3 of the title of the bill after the word "required" and before the word "powers", insert in lieu thereof the following words "duties of carrier when shipment of livestock and poultry offered".

In Section 2 of the printed bill, line 13, strike out the words "seventy-five" and insert in lieu thereof the words "twenty-five".

In line 45, page 4 after the word "person", insert the following words "which bond shall cover the entire license period".

Sections 3, 4, and 5 up to 16 inclusive are to be numbered respectively 4 to 17, inclusive and add Section 3 as follows: "Shipment of livestock. That is shall be the duty of the agent of any transportation company, or common carrier or any such transportation company or common carrier within and operating in the State of North Dakota, to require of the shipper of, or person or persons offering for shipment any livestock or poultry, that the party or parties offering such shipment for transportation shall before the same is received for shipment to the said transportation company or carrier or agent thereof a livestock dealer's license for the current year in which such shipment is offered for transportation, or shall by affidavit show such shipper to be exempt from the provisions of this Act.

And the further amendment:

Add a semi-colon after the last word, inserted by the committee's first amendment, which is the word "offered".

Correct the committee's second amendment to read "Section 1" instead of "Section 2".

And when so amended recommend that the same do pass.

House Bill No. 235. A Bill for an Act to Appropriate \$2,-500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

And recommend that action be deferred.

GEORGE BJORNSON,  
Chairman.

Mr. Seibel moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

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

Mr. Gilberg moved that the House reconsider the action on House Bill No. 209, which motion prevailed.

Mr. Gilberg moved that House Bill No. 209 be re-referred to the Committee on Ways and Means, which motion prevailed.

Mr. Brusseau moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### FORTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

The House Assembled at 2:00 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Hildebrand Eickhoff of Mandan.

The roll was called and all members were present except Representatives Fitch, Godwin, LaBerge, Wendland, White and Wick.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 41st day after recess and 42nd day and recommend that the same be corrected as follows:

Page 889 line 8, from the bottom insert: "and the further amendments."

On page 883, line 4, change "Senate Bill 116" to read "Senate Bill No. 216".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

A petition signed by 110 residents of Stanley requesting the defeat of House Bill No. 216, proposing a graduated tax on lignite coal.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Also,

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Also,

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Also,

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year



1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 195. A Bill for an Act to Rid the State of a Public Nuisance, Namely Irresponsible Collectors or Collection Agencies who Themselves are Operating Without Sufficient Funds and Who are Unable to Pay their Own Obligations, Yet Who Continually Persist in Cluttering Up the Courts With Garnishment and Attachment Actions, Causing Many Worthy Individuals with Large Families to Support, to Lose Their Jobs by Useless Litigation.

Also,

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Also,

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-

one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Also,

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 158, Session Laws of 1933, Relating to Foreclosure of Mortgages by Advertisement.

Also,

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

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

Very respectfully,

THOMAS McDONALD.  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 41. 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.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Committee on Enrollment made the following report:

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

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and

Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice-Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. President: I have the honor to request the return of

SENATE CONCURRENT RESOLUTION "J", which the House wishes to reconsider.

I also have the honor to inform you that the Speaker has appointed Representatives Wolf, Hofstrand and Traynor to serve with a like committee of the Senate to prepare for a Joint Memorial Session on Washington's Birthday.

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by

Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged

Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to

Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

Also,

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractic Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter

267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "J".

In accordance with the request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Also,

House Bill No. 41. 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.

Also,

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With



the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Also,

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Were delivered to the Governor for his approval at the hour of 2:33 o'clock P. M., February 16, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGE FROM THE GOVERNOR

#### OFFICE OF THE GOVERNOR

Bismarck

To the Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Gentlemen:

This is to inform you that I have signed:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency,

and Repealing All Acts and Parts of Acts in Conflict Herewith.

On February 15th at 4:25 P. M.

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

On February 15th at 4:30 P. M.

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

On February 15th at 4:50 P. M.

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.

On February 15th at 5:25 P. M.

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Supplement to the Compiled Laws of North Dakota, Relating to County Mutual Insurance Companies, and Declaring an Emergency.

On February 15th at 5:30 P. M.

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

On February 15th at 5:20 P. M.

The above named bills have been delivered to the Secretary of State.

Yours very truly,

WILLIAM LANGER,  
Governor.

WL:JEB

REPORTS OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 164. A Bill for an Act for the Purpose of Establishing a Six-Man Game and Fish Commission, They to Have Power to Appoint a Director of Game and Fish, and to Conduct Other Business Pertaining to Game and Fish; Repeal Chapter 130 of the Session Laws of 1929; All Acts and Parts of Acts in Conflict Herewith Are Hereby Repealed.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Have examined same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Just 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. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Also,

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

"And find the same correctly enrolled.

CARL H. DITTMER,  
"Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption and After Foreclosure or Execution Sales and Purchasers at Such Sales.

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

In last line of the title after the word "sales" cut out the period and add: "against waste, permitting payment of taxes, interest, and insurance premiums, and declaring an Emergency".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

OSCAR W. HAGEN,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: A Minority of Your Committee on State Affairs to whom was referred:

House Bill No. 265. A Bill for an Act Providing for a Thirty Hour Week and Minimum Wage for Common Labor When Employed by State or Municipal Governments or By Private Persons Paying for Such Labor with State or Federal Funds; Providing Penalty for Violation; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

KNUTSON (LaMoure)  
L. C. ODEGARD  
VAL P. WOLF

The Committee on State Affairs made the following report:

Mr. Speaker: A Majority of Your Committee on State Affairs to whom was referred:

House Bill No. 265. A Bill for an Act Providing for a Thirty Hour Week and Minimum Wage for Common Labor When Employed by State or Municipal Governments or By Private Persons Paying for Such Labor with State or Federal Funds; Providing Penalty for Violation; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL  
J. D. HOLTHUSEN  
EDWIN TRAYNOR  
L. L. TWICHELL  
GEO. H. SAUMUR

Mr. Holthusen moved that the report be adopted.

Mr. Knutson moved that the report of the minority be substituted for the report of the majority, which motion lost.

The question being on the original motion of Mr. Holthusen that the report of the majority be adopted, the motion prevailed and House Bill No. 265 was indefinitely postponed.

Mr. Twichell moved that the vote by which House Bill No. 265 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or Other Lien, Without Process of Court.

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

In the title of the Bill after the word "Court" add the words "Declaring an Emergency."

In Section 1, Line 2 after the word "property" insert the following: "the value of which exceeds one hundred (\$100.00) dollars."

In line 3, Section 1, after the word "security" strike out the word "by" and insert in lieu thereof the word "for".

In Section 2, Line 6, (Page 2) remove the comma after the word "act" and place a period and strike out the balance of that section.

Strike out all of Section 3.

And when so amended recommend the same do pass.

EDWARD SAVRE,  
Chairman.

Mr. Billigmeier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 243. A Bill for an Act to Amend and Re-enact Sections 368a1, 368a2 and 368a4 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 191 of the 1933 Session Laws; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Brusseau moved that the report be adopted.

Mr. Solberg offered as a substitute motion that House Bill No. 243 be placed on the calendar.

The question being on Mr. Solberg's motion, a roll call was demanded and granted.

## ROLL CALL

The question being on Mr. Solberg's motion, the roll was called and there were ayes, 46; nays, 63; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Graham	Olson, Sargent
Beaton	Ireland	Page
Black	Jury	Peterson, Renville
Blair	Kapaun	Sandness
Brown	Knudson, Steele	Saumur
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Dalzell	McInnes	Solberg
Day	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Traynor
Frey	Nelson, Sargent	Trydahl
Frosaker	Norheim	Tuff
Gessner	Oglesby	Twichell
Gilberg	Olson, Bowman	Urschel
Goodlaxon		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jones	Savre
Bieloh	Just	Schauss
Billigmeier	Knutson, LaMoure	Schimke
Bjornson	Krank	Seibel
Brusseau	Kraus	Semerad
Caddell	Levin	Shurr, Bottineau
Frazier	Livingston	Sticka
Dittmer	McIntee	Stray
Freitag	Myers	Thoreson
Godwin	Nelson, Cass	Treffry
Greiser	Obach	Tweten
Hagen	O'Brien	White
Haines	Odegard	Williams
Hofstrand	Olson, Adams	Wolf
Holm	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
LaBerge	Wendland	Wick
Niewoehner		

So the motion lost.

The question being on the original motion of Mr. Brusseau



that the report be adopted, the motion prevailed, the report was adopted, and House Bill No. 243 was indefinitely postponed.

Mr. Wolf moved that the vote by which House Bill No. 243 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

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

Section 1, in line 7 of the original bill, which is line 9 of the printed bill, strike out the word "precincts" and insert in lieu thereof "precinct".

Section 1, page 2, line 36 of the original bill, which is line 43 of the printed bill, strike out the word "case" and insert in lieu thereof "cast".

Section 1, page 2, line 55 in the original bill which is line 64 of the printed bill, following the word "the" insert the following: "husband, wife,"

Section 1, page 3, line 44 of the printed bill, correct the spelling of "election".

And when so amended recommend the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

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

In the title of the bill, after the word "amend" insert "and re-enact".

In Section 1, after the figure "1" add "Amendment." That Section 11350 of the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:"

Before the word "The" in line one, Section 1, insert the word and figures "SECTION 11350".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Ireland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 272. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws of the State of North Dakota, Relating to Hours of Employment of Municipal, School District, Library Board and Park Board Employees; Prohibiting More Than Eight Hours Per Day or Forty-eight Hours Work Per Week Labor, Except in Emergencies; Requiring Payment at One and One-half Times Normal Rate for Overtime; Exempting Regularly Elected Officer and Firemen; Providing Penalty for Violation; Repealing All Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 272 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 281. A Bill for an Act Providing for the Granting of Divorces, Degree of Proof Required and Procedure to Be Followed.

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

In the title after the word "act" insert the following:

"to amend and re-enact section 4400 of the Compiled Laws of 1913 as amended by Section 4400 of the Supplements to the Compiled Laws of 1913.

In Section 1, Line 1 remove the figures "4440" and insert in lieu thereof the figures "4400".

In Section 4440, Line 1 remove the figures "4440" and insert in lieu thereof the figures "4400".

In Line 1, Section 4400 after the word "except" remove the words "at regular term time in the county in which the action is brought or to which the place of trial is changed by order of the court, or".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 282. A Bill for an Act Amending Section 9205 of the Compiled Laws of 1913, Relating to Misdemeanors and the Method of Punishment.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 283. A Bill for an Act Defining the Duties of the Highway Patrol, and Providing for Tourist Labels for Certain Automobiles, and Providing a Penalty for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted.

Mr. Solberg offered as a substitute motion that House Bill No. 283 be placed on the calendar, which motion lost.

The question being on the original motion of Mr. Twichell that the report be adopted, the motion prevailed, and House Bill No. 283 was indefinitely postponed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 296. A Bill for an Act to Provide Further

Employment of the Labor of Prisoners at the State Penitentiary; for the Sale of the Product of Such Labor to Other State Institutions, the Use of Receipt From the Sale and for an Appropriation; Requiring Heads of Institutions and Boards to Cooperate with the State Board of Administration.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Chapter 281 of the Session Laws of North Dakota for the Year 1927, and Chapter 74 of the Laws of 1929, Relating to the Office of Veterans' Service Commissioner, and Amending the Same with Reference to Qualifications and the Manner of Appointment of Such Service Commissioner and Salary and Expense of Carrying Out Provisions of This Act.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted.

Mr. Fitch offered as a substitute motion that House Bill No. 297 be referred to General Orders for amendment, which motion was lost.

The question being on Mr. Bjornson's original motion that the report be adopted, the motion prevailed and House Bill No. 297 was placed on the calendar.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Dullea moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

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

In the engrossed bill, Section 1, line 3 which is Section 1, line 3 of the printed bill, strike out the figures "\$260,931.00" and insert in lieu thereof the figures "\$262,431.00".

Engrossed bill, line 14 which is line 15 of the printed bill, strike out the figures "24,000.00" and insert in lieu thereof the figures "23,400.00".

Engrossed bill, line 15 which is line 16 of the printed bill, strike out the figures "2,000.00" and insert in lieu thereof the figures "1,600.00".

Engrossed bill, line 21 which is line 22 of the printed bill, strike out the figures "1,000.00" and insert in lieu thereof the figures "500.00".

Engrossed bill, line 22 which is page 2, line 23 of the printed bill, strike out the figures "6,000.00" and insert in lieu thereof the figures "8,000.00".

Engrossed bill, line 30 which is page 2, line 32 of the printed bill, strike out the figures "\$278,681.00" and insert in lieu thereof the figures "\$279,181.00".

Engrossed bill, line 32 which is page 2, line 35 of the

printed bill, strike out the figures "\$203,681.00" and insert in lieu thereof the figures "\$204,181.00".

Engrossed bill, after line 36 which is line 40 on page 3 of the printed bill, re-insert the words "Water System, Grounds" and insert the figures "1,000.00".

Engrossed bill, line 46 which is page 3, line 54 of the printed bill, strike out total figures "\$260,931.00" and insert in lieu thereof the figures "\$262,431.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

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

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Assessments of Premiums Against Municipalities, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Just 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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 find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Just moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Temperance made the following report:

Mr. Speaker: A Minority of Your Committee on Temperance to whom was referred:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

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

On page 2, line 1 of the printed bill, after the word "section" and before the word "of", insert the figure (4).

On page 2, line 21, after the word "County", strike out the period (.) and insert a semi-colon (;) and add the following: "Except that if such petition be filed in an even numbered year, the question shall be submitted to the voters of said County at the next state-wide election".

P. K. HOLM  
FRANK BEASLEY  
THOS. A. WHITE  
OSCAR W. HAGEN  
WM. HOLMQUIST

And when so amended recommend the same do pass.

OSCAR W. HAGEN,  
Chairman.

The Committee on Temperance made the following report:

Mr. Speaker: A Majority of your Committee on Temperance to whom was referred:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election Held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
 JOS. D. BYRNE,  
 WM. H. TUFF,  
 ED. McINTEE,  
 HARRY J. MORRIS,  
 NELLIE C. OLSON,  
 HARRY SEMERAD,  
 CALVIN SCHIMKE,  
 RAY E. OLSON,  
 JOHNSON.

OSCAR W. HAGEN,  
 Chairman.

Mr. O'Brien moved that the report of the majority be adopted.

Mr. Burgum offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed and the report of the minority was adopted.

Mr. Godwin moved that the House be on the Eighth Order of Business and that at the conclusion of the Eighth Order of Business the House stand recessed until 4:10 P. M., which motion prevailed.



## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The House recessed.

## AFTER RECESS

The House convened at 4:10 P. M., pursuant to recess, Speaker Dahl presiding.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for

Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 368. A Bill for an Act to Appropriate the Sum of Ten Thousand Five Hundred Dollars to Reimburse and Pay to Patterson Hotel Company of Bismarck, North Dakota, for Rent During a Period of Seven Months for Premises Leased to the State of North Dakota, Consisting of the Second Floor of That Certain Building in the City of Bismarck Known as the Patterson Hotel, Upon an Agreement Made and Entered Into by the Board of Administration to Pay Rent at the Rate of Twenty-five Hundred Dollars per Month for Such Premises in Case the Said Premises Were Vacated by the State of North Dakota Within a Period of Two Years From and After the First Day of January, 1931, the Said State of North Dakota Having Occupied Said Premises for a Period of Seven Months for Various Departments of the State Government.

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

The Committee on Delayed Bills introduced:

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

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

The Committee on Delayed Bills introduced:

House Bill No. 370. A Bill for an Act Authorizing the State Highway Commissioner to Compromise and Settle the Claim of Edward Bannon for Damages Suffered in a Collision With a Power Motor Patrol, Operated by an Employee of the State Highway Department.

Was read the first time and referred to the Committee on Highways and Bridges.

#### SEVENTH ORDER OF BUSINESS

Mr. Beggs moved that House Bill No. 368 be not printed until acted on by the Appropriations Committee, which motion prevailed.

Mr. Beggs moved that House Bill No. 369 be not printed until acted upon by the Appropriations Committee, which motion prevailed.

Mr. Frazier moved that House Bill No. 370 be not printed until acted upon by the Committee on Highways and Bridges, which motion prevailed.

Mr. Caddell moved that Senate Bill No. 22 be transferred from the Committee on Elections and Election Privileges to the Committee on Banks and Banking, which motion prevailed.

Mr. Shurr of Bottineau asked an extension of time on House Bill No. 222, which extension was granted.

Mr. Schauss requested an extension of time on House Bill No. 168, which extension was granted.

Mr. Jensen moved that House Bill No. 231 be transferred from the Tax and Tax Laws Committee to the Committee on State Affairs, which motion prevailed.

Mr. Anfinson moved that House Bill No. 271 be transferred from the Ways and Means Committee to the State Affairs Committee, which motion prevailed.

Mr. Knudson of Steele moved that House Bill No. 290 be transferred from the Judiciary Committee to the Committee on Education, which motion prevailed.

TUESDAY, FEBRUARY 16, 1937

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MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 40.

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORTS OF SELECT COMMITTEES

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

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 40, have had the same under consideration and recommend:

That the House accept the Senate amendment in item 3. "Other Employees" under "SALARIES AND WAGES".

That the House accept the Senate Amendment on "Salary Adjustments .....3,700.00".

That the House accept the Senate amendment on item 13. "Clothing" under "OPERATING EXPENSE".

That the Senate recede from their amendment in item 14. "Hospital and Medical Service" under "OPERATING EXPENSE", and the figures in this item be further amended to read "9,000.00".

That the Senate recede from their amendment in item 17. Under "OPERATING EXPENSE" and the figures in this item be further amended to read "4,500.00".

That the Senate recede from their amendment in item 19. Under "OPERATING EXPENSE" and the figures in this item be further amended to read "16,000.00".

That the figures after "TOTAL MAINTENANCE" be changed to read "\$280,996.00".

That the figures after "NET MAINTENANCE" be changed to read "\$247,996.00".

That the House accept the Senate amendment in item 1. "General" under "IMPROVEMENTS AND REPAIRS".

That the Senate recede from their amendment in item 2. "Farm" under "EQUIPMENT", and the figures in this item be further amended to read "500.00".

That the figures in line 3 of the engrossed bill be changed to read "\$258,696.00".

That the "TOTAL" be changed to read "\$258,696.00".

For the Senate:

WM. WATT  
R. M. STREIBEL

For the House:

O. C. OLSON  
OLE G. FROSAKER  
OLE B. STRAY

Representative Olson of Adams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the rules be suspended and that House Bill No. 40 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### 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, 62; nays, 46; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Holthusen	Odegard
Beasley	Hultstrand	Olson, Adams
Beaton	Johnson	Olson, Sargent
Beggs	Jury	Page
Biberdorf	Just	Peterson, Richland
Billigmeier	Kapaun	Ritter
Bjornson	Krank	Sandness
Black	Kraus	Saumur
Blair	LaBerge	Schauss
Burgum	Leum	Schimke
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	Magill	Sticka
Fitch	Morris	Stray
Frosaker	Niewoehner	Traynor
Gessner	Nelson, Cass	Trydahl
Gilberg	Nelson, Sargent	Urschel
Godwin	Norheim	Wolf
Goodlaxon	Obach	Mr. Speaker
Graham	O'Brien	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Pewe
Akland	Holmquist	Rait
Anderson	Huseby	Sand

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benno	Ireland	Savre
Bieloh	Jensen	Seibel
Brown	Jones	Semerad
Brusseau	Knudson, Steele	Solberg
Dalzell	Knutson, LaMoure	Symington
Dullea	Langford	Thompson
Frazier	McIntee	Thoreson
Freitag	Morland	Treffry
Frey	Myers	Tuff
Greiser	Oglesby	Twichell
Hagen	Olson, Bowman	Tweten
Haines	Peterson, Bot'neau	Williams
Hofstrand		

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Olson, McLean	Wendland	Wick
Peterson, Renville	White	

So the report was adopted and the bill passed as amended by the Conference Committee.

Mr. Thompson: There was so much criticism about our allowing one salary adjustment, and I can't see but that this allows two. Therefore I vote "no."

The Conference Committee on House Bill No. 42 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 42, have had the same under consideration and recommend that the House accept the Senate amendments.

For the Senate:  
 WM. WATT,  
 R. M. STREIBEL.

For the House:  
 O. C. OLSON,  
 OLE G. FROSAKER,  
 OLE B. STRAY.

Representative Olson of Adams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 42 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 91; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Hultstrand	Olson, McLean
Anfinson	Huseby	Olson, Sargent

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Page
Beaton	Jones	Peterson, Bot'neau
Beggs	Jury	Peterson, Renville
Benno	Just	Peterson, Richland
Billigmeier	Kapaun	Pewe
Bjornson	Krank	Ritter
Black	Kraus	Sand
Blair	LaBerge	Sandness
Brown	Langford	Saumur
Brusseau	Leum	Schauss
Burgum	Levin	Schimke
Byrne	Livingston	Seibel
Caddell	McInnes	Semerad
Dalzell	McIntee	Severson
Day	Magill	Shure, Cass
Dittmer	Morland	Shurr, Bottineau
Dullea	Morris	Sticka
Fitch	Myers	Stray
Frey	Niewoehner	Symington
Frosaker	Nelson, Cass	Thompson
Gessner	Nelson, Sargent	Thoreson
Gilberg	Norheim	Traynor
Godwin	Obach	Treffry
Goodlaxon	O'Brien	Trydahl
Graham	Odegard	Twichell
Greiser	Oglesby	Urschel
Hagen	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Rait
Akland	Holmquist	Savre
Biberdorf	Ireland	Solberg
Bieloh	Jensen	Tuff
Frazier	Knudson, Steele	Tweten
Freitag	Knutson, LaMoure	Williams
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Wendland	White	Wick

So the bill passed as amended by the Senate.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 16, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on House Bill No. 40; also on House Bill No. 42.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SECOND READING OF HOUSE BILLS

Mr. Schauss moved that action on House Bill No. 164 be deferred one legislative day. A division was called for, and the motion lost.

House Bill No. 164. A Bill for an Act for the Purpose of Establishing a Six-Man Game and Fish Commission, They to Have Power to Appoint a Director of Game and Fish, and to Conduct Other Business Pertaining to Game and Fish.

Was read the second time.

Mr. Twichell moved the previous question, 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, 57; nays, 52; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Hofstrand	Nelson, Sargent
Beaton	Holm	Norheim
Benno	Holthusen	O'Brien
Black	Johnson	Oglesby
Blair	Jury	Olson, Bowman
Brown	Just	Olson, Sargent
Burgum	Kapaun	Page
Byrne	Knudson, Steele	Peterson, Richland
Dalzell	Krank	Pewe
Day	Kraus	Sandness
Dittmer	LaBerge	Saumur
Dullea	Langford	Severson
Fitch	Leum	Shure, Cass
Frey	McInnes	Symington
Frosaker	Magill	Thompson
Gessner	Morland	Traynor
Gilberg	Morris	Treffry
Goodlaxon	Niewoehner	Trydahl
Graham	Nelson, Cass	Twichell

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Sand
Akland	Huseby	Savre
Anderson	Ireland	Schauss
Anfinson	Jensen	Schimke
Beggs	Jones	Semerad
Biberdorf	Knutson, LaMoure	Shurr, Bottineau
Bieloh	Levin	Solberg
Billigmeier	Livingston	Sticka
Bjornson	McIntee	Stray
Brusseau	Myers	Thoreson
Caddell	Obach	Tuff



Messrs.	Messrs.	Messrs.
Frazier	Odegard	Tweten
Freitag	Olson, Adams	Urschel
Godwin	Olson, McLean	White
Greiser	Peterson, Bot'neau	Williams
Hagen	Rait	Wolf
Haines	Ritter	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Peterson, Renville	Wendland	Wick
Seibel		

So the bill lost.

Mr. Bieloh: I vote "no" on this bill because this bill, as amended, looks to me like the Wild Life Association wants to run the Game and Fish Department. It will take it out of the peoples' hands and put it in the hands of approximately forty-five hundred members.

Mr. Frazier: I vote "no" on this bill because I think it is just a plan to put all these birds on the payroll and starve the wild life to death. I vote "no".

Mr. Godwin: I vote "no" on this bill, even though my name appears as one of the authors, for the reason that the drafters of the bill have left out what I consider the most important thing in our conservation of wild life, the building of dams with monies that might be available for that purpose. Therefore I vote "no".

Mr. Wolf: I vote "no" on this bill because it provides for six directors to be appointed who will draw a salary of five hundred dollars per year, one director of Game and Fish drawing three thousand dollars a year, and provides for twelve deputy game wardens who can draw fourteen hundred and forty dollars per year for expenses. Therefore I vote "no".

The Speaker called Mr. Wolf to the chair.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

Mr. Bieloh 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, 84; nays, 19; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Richland
Akland	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beggs	Jensen	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Krank	Saumur
Billigmeier	LaBerge	Savre
Bjornson	Langford	Schimke
Black	Leum	Seibel
Brown	Levin	Semerad
Brusseau	McInnes	Severson
Caddell	McIntee	Shure, Cass
Dalzell	Magill	Solberg
Frazier	Morland	Sticka
Freitag	Myers	Stray
Frosaker	Niewoehner	Symington
Gessner	Nelson, Sargent	Thoreson
Gilberg	Obach	Traynor
Godwin	O'Brien	Treffry
Goodlaxon	Odegard	Trydahl
Graham	Oglesby	Tuff
Greiser	Olson, Adams	Tweten
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Frey	Livingston
Beaton	Johnson	Morris
Benno	Jones	Norheim
Blair	Jury	Schauss
Byrne	Kapaun	Thompson
Day	Knutson, LaMoure	Twichell
Dullea		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Kraus	Shurr, Bottineau
Dittmer	Nelson, Cass	Wendland
Fitch	Peterson, Renville	Wick
Just		

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

Mr. Wolf 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.

The Speaker resumed the chair.

Mr. Godwin moved that the House recess until 8:00 p. m., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 8:00 p. m., pursuant to recess, Speaker Dahl presiding.

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that House Bill No. 211 be moved to the head of the calendar, which motion lost.

Mr. Greiser moved that further consideration of House Bill No. 189 be indefinitely postponed.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Greiser's motion, the roll was called and there were ayes, 49; nays, 57; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Biberdorf	Jensen	Savre
Bieloh	Levin	Schimke
Billigmeier	Livingston	Seibel
Bjornson	McIntee	Semerad
Brusseau	Myers	Shurr, Bottineau
Caddell	Niewoehner	Stray
Frazier	Nelson, Sargent	Treffry
Freitag	Obach	Tuff
Goodlaxon	Odegard	Urschel
Greiser	Olson, Adams	White
Hagen	Olson, McLean	Williams
Haines	Olson, Sargent	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Olson, Bowman
Beaton	Johnson	Page
Benno	Jury	Peterson, Renville
Black	Just	Peterson, Richland
Blair	Kapaun	Sand
Brown	Knudson, Steele	Sandness
Burgum	Knutson, LaMoure	Saumur

Messrs.	Messrs.	Messrs.
Byrne	Krank	Schauss
Dalzell	Kraus	Severson
Day	LaBerge	Shure, Cass
Dullea	Langford	Sticka
Fitch	Leum	Symington
Frey	McInnes	Thompson
Frosaker	Magill	Thoreson
Gessner	Morland	Traynor
Gilberg	Morris	Trydahl
Godwin	Nelson, Cass	Tweten
Graham	Norheim	Twichell
Hofstrand	Oglesby	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	O'Brien	Wendland
Dittmer	Solberg	Wick
Jones		

So the motion was lost.

Mr. Godwin: I voted "no" on this motion because I expect, as long as I can stand on my feet, to fight to see that unnecessary burdens are not unnecessarily placed on my shoulders, and I vote "no" because I can see no reason for placing a burden on someone else that profits no one by so doing.

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

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, 64; nays, 42; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Oglesby
Beasley	Hultstrand	Olson, Adams
Beaton	Ireland	Olson, Bowman
Benn	Jensen	Page
Bieloh	Johnson	Peterson, Renville
Bjornson	Jury	Peterson, Richland
Black	Just	Sand
Blair	Kapaun	Sandness
Brown	Knudson, Steele	Saumur
Burgum	Knutson, LaMoure	Semerad
Byrne	Krank	Severson
Caddell	Kraus	Shure, Cass
Dalzell	LaBerge	Sticka
Day	Langford	Stray
Dullea	Leum	Symington
Fitch	McInnes	Thompson

Messrs.	Messrs.	Messrs.
Frosaker	Morland	Thoreson
Gessner	Morris	Traynor
Gilberg	Niewoehner	Trydahl
Godwin	Nelson, Cass	Twichell
Graham	Norheim	Wolf
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Anderson	Levin	Ritter
Anfinson	Livingston	Savre
Biberdorf	McIntee	Schimke
Billigmeier	Magill	Seibel
Brusseau	Myers	Shurr, Bottineau
Frazier	Nelson, Sargent	Solberg
Freitag	Obach	Treffry
Frey	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Greiser	Olson, McLean	Urschel
Hagen	Olson, Sargent	White
Haines	Peterson, Bot'neau	Williams
Holm	Pewe	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Jones	Wendland
Dittmer	Schauss	Wick
Huseby		

So the bill passed and the title was agreed to.

Mr. Page 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.

Mr. Greiser: I vote "no" for the reason that if this bill passes I will have to go home and try to collect \$48,000 from some of those banks down there before July 1, 1939. That's going to be hard work, and I am not accustomed to such hard work.

Mr. Speaker called Mr. Wolf to the chair.

House Bill No. 210. A Bill for an Act Repealing Chapter 221 of the 1935 Session Laws of the State of North Dakota the Same Being an Act to Create a State Board of Public Welfare; Declaring an Emergency.

Was read the second time.

Mr. Shurr of Bottineau 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, 30; nays, 78; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	McIntee	Schauss
Akland	Myers	Schimke
Anderson	Obach	Semerad
Bjornson	Olson, Adams	Seibel
Brusseau	Olson, McLean	Severson
Frazier	Peterson, Bot'neau	Symington
Greiser	Pewe	Treffry
Hagen	Rait	Tuff
Holmquist	Ritter	Wolf
Knutson, LaMoure	Savre	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anfinson	Hofstrand	Norheim
Beasley	Holm	O'Brien
Beaton	Holthusen	Odegard
Benno	Hultstrand	Oglesby
Biberdorf	Huseby	Olson, Bowman
Bieloh	Ireland	Olson, Sargent
Billigmeier	Jensen	Page
Black	Johnson	Peterson, Renville
Blair	Jury	Peterson, Richland
Brown	Just	Sand
Burgum	Kapaun	Sandness
Byrne	Knudson, Steele	Saumur
Caddell	Krank	Shure, Cass
Dalzell	Kraus	Shurr, Bottineau
Day	LaBerge	Solberg
Dullea	Langford	Sticka
Fitch	Leum	Stray
Freitag	Levin	Thompson
Frey	Livingston	Thoreson
Frosaker	McInnes	Traynor
Gessner	Magill	Trydahl
Gilberg	Morland	Tweten
Godwin	Morris	Twichell
Goodlaxon	Niewoehner	Urschel
Graham	Nelson, Cass	White
Haines	Nelson, Sargent	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Jones	Wick
Dittmer	Wendland	

So the bill lost.

Mr. Dahl moved that the vote by which House Bill No. 210 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## EXPLANATIONS OF VOTES

Mr. Frazier: I vote "aye" on this bill because I don't believe that there is any human being living that wants to stand for the State Welfare Board, the head of this department, getting the salary that he gets, and making people live on a measly \$8.00 a month. That's making this country what it is.

Mr. Dahl: I vote "aye" on this bill for the reason that as we are a sovereign state we have the right to legislate according to our own convictions, instead of being dictated to.

Mr. Solberg: I vote "no" on this bil, not for the reason that I think the Welfare Board has carried out its duties satisfactorily. I am absolutely opposed to what the Welfare Board has done in the distribution of these funds. The only reason I vote "no" is because I am afraid if we change the setup we are going to create suffering.

Mr. Ireland: I vote "no" on this bill for the reason that I realize we have got to comply with the government's request if we expect to get more money in this state for relief, and we surely need relief. For once I agree with the administration.

Mr. Morland: When I voted "no" on this bill I didn't vote "no" because I favored the Welfare Board. I voted "no" because I think it is almost a case of have to, if we want to get the money, and also for the reason that the governor has apparently found out what everybody else has known all summer, that if we are going to have any money from Washington, and they are going to pay the bill, they are going to have something to say about how it is spent.

Mr. Pewe: I voted "aye" on this bill because I do not believe in assisting the damnable wasting system that now exists in regard to the Welfare funds.

Mr. Hagen: I vote "aye" on this bill because I know I am right, and I refuse to be bulldozed.

Mr. Hultstrand: I voted "no" not because I wanted to vote "no", but we have granted the privilege to the international bankers, the right of our money, and it is not ours any longer, and the law says it is theirs, so we have to comply with their orders.

Mr. Knutson of LaMoure: I vote "aye" because I am opposed to that large salary that the manager is getting. That is the reason.

Mr. Schauss: I voted "aye" on this bill, not on account of the salaries, but because I know the Welfare Boards of the state of North Dakota haven't been worth a damn to the poor people.

Mr. Magill: I vote "no" on this bill because I want to, and I don't think anyone has bulldozed me into doing it, either.

Mr. Knudson of Steele: After listening to all of the explanations of votes, I believe that the only logical explanation of vote given is that given by the Speaker.

Mr. Olson of Bowman: I voted "no" on this bill because I wanted to.

#### SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that further consideration of House Bill No. 211 be indefinitely postponed.

Mr. Godwin moved the previous question, which motion prevailed.

The question being on Mr. Twichell's motion that further consideration of House Bill No. 211 be indefinitely postponed, the motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 211. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners. Making it Optional for the County Commissioners to Establish Such Board; 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, 54; nays, 54; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Ritter
Akland	Hultstrand	Sand
Anderson	Knudson, Steele	Savre
Anfinson	Knutson, LaMoure	Schauss
Biberdorf	Langford	Schimke
Bieloh	Livingston	Seibel
Billigmeier	McIntee	Semerad
Bjornson	Magill	Severson
Brown	Morland	Sticka
Brusseau	Myers	Symington
Caddell	Obach	Thoreson
Dalzell	Odegard	Treffry
Frazier	Olson, Adams	Tuff
Freitag	Olson, McLean	Tweten
Greiser	Page	Urschel
Hagen	Peterson, Bot'neau	Williams
Haines	Pewe	Wolf
Hofstrand	Rait	Mr. Speaker



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Norheim
Beaton	Huseby	O'Brien
Benno	Ireland	Oglesby
Black	Jensen	Olson, Bowman
Blair	Johnson	Olson, Sargent
Burgum	Jury	Peterson, Renville
Byrne	Just	Peterson, Richland
Day	Kapaun	Sandness
Dullea	Krank	Saumur
Fitch	Kraus	Shure, Cass
Frey	LaBerge	Shurr, Bottineau
Frosaker	Leum	Solberg
Gessner	Levin	Stray
Gilberg	McInnes	Thompson
Godwin	Morris	Traynor
Goodlaxon	Nelson, Cass	Trydahl
Graham	Nelson, Sargent	Twichell
Holm	Niewoehner	White

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Jones	Wick
Dittmer	Wendland	

So the bill lost.

Mr. Twichell moved that the vote by which House Bill No. 211 was lost be reconsidered and the motion to reconsider be laid on the table.

A division was called for and the motion prevailed.

#### EXPLANATIONS OF VOTES

Mr. Magill: In reading over this bill I can't see any objection to it. I think it probably would meet the criticism of the County Commissioners if it was left optional with the County Commissioners as provided in this bill. Therefore I vote "aye".

Mr. Dahl: I vote "aye" on this bill because as a sovereign state we have a right to legislate without being dictated to as to how to legislate. I vote "aye".

Mr. Ireland: I vote "no" on this bill because I don't want to do something I will be sorry for when I get back home and the people would tell me they couldn't get relief because I voted for this bill. Therefore I vote "no".

Mr. Thompson: I vote "no" on this bill to keep some of you fellows from explaining after you get home.

Mr. Caddell: I voted "aye" on this bill. Even though I knew this relief would have to be administered by the United States Army I would still vote "aye".

Mr. Tweten: I vote "aye" because we don't need those

County Boards. We have a set of County Commissioners who can handle that work.

Mr. Godwin: I voted "no" on this bill. I voted "no", not because I believed that the bill wasn't right in principle, but because I, not being one dependent on relief at this time, did not feel that I could assume any responsibility in doing anything that might curtail the relief, inadequate though it may be, that is now going to the people in distress.

Mr. Akland: I voted "aye", because that is the platform on which I was elected.

Mr. Morland: I voted "aye" on this bill because I believe it does set up a county set-up that differs materially from that provided in House Bill No. 210.

Mr. Greiser: I voted "aye" because I was elected on the proposition that something should be done to stop the terrible cost of administering relief. I pledged myself to that platform, and I am not breaking my pledge now.

Mr. Knutson of LaMoure: I vote "aye" on this bill because I think this is a much cheaper way of handling relief than the old way.

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Was read the second time.

Mr. Caddell asked unanimous consent to amend the bill by correcting the spelling of the words "the" and "naval" in Section 1, page 1, of the printed bill, and by striking out the unnecessary semi-colon in line 2 of Section 2 of the printed bill, which consent was granted.

Mr. Caddell moved that the rules be suspended and that House Bill No. 219 be considered properly re-engrossed and placed on 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, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Akland	Holthusen	Olson, Sargent
Anderson	Hultstrand	Page
Anfinson	Huseby	Peterson, Bot'neau
Beasley	Ireland	Peterson, Renville
Beaton	Jensen	Peterson, Richland

Messrs.	Messrs.	Messrs.
Beggs	Johnson	Pewe
Benno	Jury	Rait
Biberdorf	Kapaun	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Ejornson	Krank	Schauss
Black	Kraus	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Symington
Day	Magill	Thompson
Dullea	Morland	Thoreson
Fitch	Morris	Traynor
Frazier	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	O'Brien	White
Greiser	Odegard	Williams
Hagen	Oglesby	Wolf
Haines	Olson, Adams	Mr. Speaker
Holm	Olson, Bowman	

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Jones	Schimke
Freitag	Just	Stray
Godwin	Ritter	Wendland
Hofstrand	Savre	Wick

So the bill passed and the title was agreed to.

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; 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, 95; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, McLean
Akland	Hultstrand	Page
Anderson	Huseby	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Beaton	Johnson	Pewe
Benno	Jury	Rait
Biberdorf	Kapaun	Ritter
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Bjornson	Krank	Savre
Black	Kraus	Schauss
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dullea	Magill	Symington
Fitch	Morland	Thoreson
Frey	Morris	Traynor
Frosaker	Myers	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Goodlaxon	Norheim	Tweten
Graham	Obach	Urschel
Greiser	O'Brien	White
Hagen	Odegard	Williams
Haines	Oglesby	Wolf
Holm	Olson, Adams	Mr. Speaker
Holmquist	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.
Nelson, Sargent	Olson, Sargent

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Hofstrand	Stray
Burgum	Jones	Thompson
Dittmer	Just	Twichell
Frazier	Sand	Wendland
Freitag	Schimke	Wick
Godwin		

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

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining 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, 87; nays, 13, absent and not voting, 13.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Holthusen	Peterson, Renville
Akland	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Jensen	Ritter
Beaton	Johnson	Sandness
Beggs	Jury	Saumur
Benno	Knudson, Steele	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McIntee	Stray
Dalzell	Morland	Symington
Day	Morris	Thompson
Dullea	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Graham	Oglesby	Twichell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bieloh	McInnes	Olson, Sargent
Blair	Magill	Seibel
Burgum	Nelson, Sargent	Shure, Cass
Kapaun	Odegard	Sticka
Levin		

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Goodlaxon	Krank
Dittmer	Hofstrand	Sand
Fitch	Jones	Wendland
Frazier	Just	Wick
Godwin		

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

House Bill No. 252. A Bill for an Act Providing for the

Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

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, 70; nays, 33; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page
Akland	Holthusen	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beggs	Ireland	Rait
Bieloh	Jensen	Sand
Billigmeier	Jury	Sandness
Bjornson	Just	Saumur
Black	Kapaun	Savre
Blair	Knudson, Steele	Schauss
Brown	Krank	Schimke
Burgum	LaBerge	Semerad
Caddell	Langford	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McIntee	Sticka
Dullea	Morland	Stray
Frazier	Morris	Symington
Freitag	Myers	Thoreson
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Norheim	White
Goodlaxon	Obach	Williams
Graham	Olson, Bowman	Wolf
Greiser	Olson, McLean	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Leum	Pewe
Beaton	Levin	Ritter
Benno	McInnes	Seibel
Brusseau	Magill	Severson
Fitch	Nelson, Sargent	Shure, Cass
Gilberg	O'Brien	Thompson
Hagen	Odegard	Traynor
Holmquist	Oglesby	Treffry
Johnson	Olson, Adams	Tweten
Knutson, LaMoure	Olson, Sargent	Twichell
Kraus	Peterson, Bot'neau	Urschel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Godwin	Jones
Biberdorf	Hofstrand	Wendland

Messrs.	Messrs.	Messrs.
Byrne	Hultstrand	Wick
Dittmer		

So the bill passed and the title was agreed to.

Mr. Kapaun moved that the vote by which House Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hagen: I vote "no" on this bill because it is guaranteeing private business against loss.

House Bill No. 266. A Bill for an Act to Curb the Theft of Livestock by Truck by Requiring Livestock Truckers to Have with the Load, Display Upon Demand of Proper Officer and File with the Sheriff of the County and the First Recipient of Such Livestock from the Trucker, a Certificate Giving Information Relative to Such Livestock.

Was read the second time.

Mr. Twichell asked unanimous consent to amend the bill as follows: In line 1 of the title, after the word "by" and before the word "truck" insert the words "the use of", and insert a comma after the word "truck"; which consent was granted.

Mr. Tweten moved that further consideration of House Bill No. 266 be indefinitely postponed.

Mr. Knudson of Steele moved the previous question, which motion prevailed.

The question being on Mr. Tweten's motion, the motion prevailed and House Bill No. 266 was indefinitely postponed.

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Blair moved the previous question, 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, 80; nays, 23; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Beasley	Hultstrand	Peterson, Renville
Beaton	Johnson	Peterson, Richland
Beggs	Jury	Rait

Messrs.	Messrs.	Messrs.
Benno	Just	Ritter
Biberdorf	Knudson, Steele	Sand
Bjornson	Krank	Sandness
Black	Kraus	Saumur
Blair	LaBerge	Savre
Brown	Leum	Schauss
Burgum	Livingston	Schimke
Byrne	McInnes	Severson
Caddell	McIntee	Shure, Cass
Dalzell	Magill	Shurr, Bottineau
Day	Morland	Sticka
Dullea	Morris	Stray
Fitch	Niewoehner	Symington
Frazier	Nelson, Cass	Thompson
Frosaker	Nelson, Sargent	Thoreson
Gessner	Norheim	Traynor
Gilberg	Obach	Treffry
Godwin	O'Brien	Trydahl
Goodlaxon	Odegard	Tuff
Graham	Olson, Adams	White
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Mr. Speaker
Holm	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Huseby	Pewe
Anderson	Ireland	Seibel
Anfinson	Kapaun	Semerad
Bieloh	Knutson, LaMoure	Solberg
Brusseau	Levin	Tweten
Greiser	Myers	Twichell
Hagen	Oglesby	Wolf
Holthusen	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Billigmeier	Jensen	Urschel
Dittmer	Jones	Wendland
Freitag	Langford	Wick
Frey		

So the bill passed and the title was agreed to.

Mr. Fitch moved that the vote by which House Bill No. 183 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker resumed the chair.

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty 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, 55; nays, 46; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Graham	O'Brien
Anderson	Greiser	Olson, Bowman
Anfinson	Hagen	Peterson, Bot'neau
Beggs	Haines	Peterson, Renville
Benno	Hofstrand	Peterson, Richland
Bieloh	Holm	Ritter
Billigmeier	Holthusen	Sand
Black	Johnson	Saumur
Brown	Just	Savre
Byrne	Kapaun	Schauss
Day	Krank	Schimke
Dullea	Kraus	Seibel
Fitch	LaBerge	Semerad
Frey	McInnes	Sticka
Frosaker	Morris	Stray
Gilberg	Myers	Tuff
Godwin	Niewoehner	Mr. Speaker
Goodlaxon	Nelson, Cass	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Levin	Sandness
Beasley	Livingston	Severson
Beaton	McIntee	Shure, Cass
Blair	Magill	Shurr, Bottineau
Burgum	Morland	Solberg
Caddell	Nelson, Sargent	Symington
Dalzell	Norheim	Thompson
Gessner	Obach	Thoreson
Holmquist	Odegard	Traynor
Hultstrand	Oglesby	Treffry
Ireland	Olson, Adams	Trydahl
Jury	Olson, McLean	Twichell
Knudson, Steele	Olson, Sargent	Urschel
Knutson, LaMoure	Page	White
Langford	Pewe	Williams
Leum	Rait	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Frazier	Jones
Bjornson	Freitag	Twetén
Brusseau	Huseby	Wendland
Dittmer	Jensen	Wick

So the bill was lost.

Mr. Wolf: I vote "no" for the purpose of reconsideration.

Mr. Williams: I know we have got the hard liquor with us, boys, and it has been a curse to every nation that ever had it. I am voting "no" on account of our future generation. It's a curse.

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Was read the second time.

Mr. Godwin asked unanimous consent to correct the original bill by correcting the spelling of the word "reports" in line 2 of Section 2, which consent was granted.

Mr. Godwin moved that the rules be suspended, and that House Bill No. 234 be considered properly re-engrossed and placed on 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, 100; nays, 1; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Johnson	Sand
Benno	Jury	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McIntee	Solberg
Day	Magill	Sticka
Dullea	Morland	Stray
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tuff
Goodlaxon	Odegard	Tweten
Graham	Oglesby	Twichell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	White

Messrs.	Messrs.	Messrs.
Haines	Olson, McLean	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker
	Page	

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jensen	McInnes
Brusseau	Jones	O'Brien
Dittmer	Just	Wendland
Fitch	Kraus	Wick

So the bill passed and the title was agreed to.

The Speaker called Mr. Beggs to the chair.

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Was read the second time.

The Speaker resumed the chair.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Page
Beasley	Huseby	Peterson, Bot'neau
Beaton	Ireland	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jury	Rait
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Krank	Savre
Black	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Schimke
Brown	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	McIntee	Solberg
Dullea	Magill	Sticka
Frazier	Morland	Stray
Freitag	Morris	Symington

Messrs.	Messrs.	Messrs.
Frey	Myers	Thompson
Frosaker	Niewoehner	Thoreson
Gessner	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Hagen	Odegard	Twichell
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Saumur
Biberdorf	Jones	Wendland
Brusseau	Kraus	Wick
Dittmer	McInnes	Williams
Fitch	Peterson, Renville	Wolf
Greiser	Ritter	

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

Mr. Twichell moved that the vote by which House Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Wolf to the chair.

#### SEVENTH ORDER OF BUSINESS

Mr. Dahl moved that the House reconsider the vote by which House Bill No. 116 was lost. A division was called for and the motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Ludvig Harland, Cooperstown; Jack Hamelsmith, Grand Forks; C. M. Peterson, Tolley; M. A. Erickson, Bert M. Salisbury, James Little, Minnewaukan; Mrs. Olive LaGrave, Esmond; Willis B. Shepard, Linton; Robert Chesrown, Linton; Mr. Hogan, Wyndmere; Ann H. Lundy, Grand Forks; Pat Johnson, Bismarck; Leo Sticker, New England; Ervin Mickel, Jamestown; Roy J. Jordre, Jamestown; O. G. Rued, Balfour; John C. Docktor, Tappen; Fred Docktor, Tappen; Captain Adams, Fort Lincoln; Gottf. Roszler, Beulah; Emanuel Heth, Beulah; Miss Snortland, Bismarck; Miss Hulda Satreaas, Bismarck; Miss Corinne Lere, Bismarck; Tom Tarnovsky, Grassy Butte; Fred Knoestz, Fargo; J. A. Amundson, Ryder; H. M. Ekren, Kensal; Lillian Wilson, Underwood; Ed. Schauer, Turtle Lake; W. M. Klinger, Turtle Lake; Wm. Rabe, Dickinson; F. K. McCallough, Bismarck; J. C. Maddock, Bismarck; Mrs. B. P. Chapell, Bathgate; Edw. Heiring, Glen Ullen; Peter Schmith, Glen Ullen; Henry Herring, New Leipzig.

Mr. Twichell moved that the House recess until 12:30 p. m., tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-THIRD DAY AFTER RECESS AND  
FORTY-FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 17, 1937.

The House convened at 12:30 p. m., pursuant to recess,  
Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Traynor moved that the vote by which Senate Bill No. 138 was lost be reconsidered, which motion prevailed.

Mr. Traynor moved that Senate Bill No. 138 be placed on the calendar, which motion prevailed.

Mr. Wolf moved that the vote by which House Bill No. 260 was lost be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 260 be placed on the calendar, which motion prevailed.

GENERAL ORDERS

Mr. Thompson moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Mr. Thompson to the chair.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption

and After Foreclosure or Execution Sales and Purchasers at Such Sales.

And recommend the adoption of the Standing Committee's amendments as follows:

In last line of the title after the word "sales" cut out the period and add: "against waste, permitting payment of taxes, interest, and insurance premiums, and declaring an emergency".

And when so amended recommend the same do pass.

Also,

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or other Lien, Without Process of Court.

And recommend the adoption of the Standing Committee's amendments as follows:

In the title of the Bill, after the word "Court" add the words "Declaring an Emergency".

In Section 1, Line 2 after the word "property" insert the following: "the value of which exceeds one hundred (\$100.00) dollars."

In line 3, Section 1, after the word "security" strike out the word "by" and insert in lieu thereof the word "for".

In Section 2, Line 6, (Page 2) remove the comma after the word "act" and place a period and strike out the balance of that section.

Strike out all of Section 3.

And the further amendments:

Amend the first committee amendment to read as follows:

"In the title of the bill after the word "Court" strike out the period, insert a comma, and add the following words "And Declaring an Emergency".

Renumber Section 4 to read "Section 3".

In line 6 of Section 1 strike out the word "mortgage".

In line 1 of Section 2, strike out the words "owner and possessor" and insert in lieu thereof the word "vendee".

And when so amended recommend the same do pass.

Also,

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspec-

tors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

And recommend the adoption of the Standing Committee's amendments as follows:

In the title of the bill, after the word "amend" insert "and re-enact."

In Section 1, after the figure "1" add "Amendment." That Section 11350 of the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:"

Before the word "The" in line one, Section 1, insert the word and figures "SECTION 11350."

And when so amended recommend the same do pass.

Also,

House Bill No. 281. A Bill for an Act Providing for the Granting of Divorces, Degree of Proof Required and Procedure to Be Followed.

And recommend that action on the same be deferred.

Also,

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election Held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

And recommend the adoption of the Standing Committee's amendments as follows:

On page 2, line 1 of the printed bill, after the word "section" and before the word "of", insert the figure (4).

On page 2, line 21, after the word "County", strike out the period (.) and insert a semi-colon (;) and add the following: "Except that if such petition be filed in an even numbered year, the question shall be submitted to the voters of said County at the next state-wide election".

And the further amendments:

On page 3, line 43 after the word "County", strike out all of the remaining lines in sub-section (3) and insert in lieu thereof the following: "And thereafter no person shall within such County manufacture, sell, barter, transport, give or furnish to any person intoxicating liquor to be used as a beverage".

On page 4, after line 57, insert the following:

"SECTION 2. PENALTY.) Any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$200.00 nor more than \$1,000.00 and be imprisoned in the County jail not less than ninety days nor more than one year".

RE-NUMBER REMAINING SECTIONS AS 3 AND 4.

In line 19 of the title, following the word "Elections", strike out the words, "Providing for the re-enacting of all laws prohibiting the sale of intoxicating liquor existing prior to the enactment of said initiated measure known as the Liquor Control Act, including penalties therein prescribed", and insert in lieu thereof the following: "Providing for prohibiting the sale of intoxicating liquor in such Counties; Providing a penalty for the provisions of this Act".

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

And recommend the following amendments:

On page 2, line 21, strike out the word "such" and insert in lieu thereof the words "the appropriation of".

In line 22 of page 2, strike out the words "fully repaid" and insert in lieu thereof the words "returned to the State Treasurer of North Dakota".

On page 2, lines 28, 29 and 30, strike out the words "assist the Federal Writers' Project and the State Historical Society of North Dakota to".



On page 3, line 34 after the words "North Dakota", change the comma to a period and strike out the balance of the Section.

And when so amended recommend the same do pass.

J. M. THOMPSON,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be divided as to House Bill No. 254.

Which motion prevailed.

Mr. Godwin moved the adoption of the report of the Committee of the Whole on House Bill No. 138, House Bill No. 172, House Bill No. 256, House Bill No. 281, House Bill No. 190, and House Bill No. 235.

Which motion prevailed.

Mr. Godwin moved as a substitute motion to the adoption of the report of the Committee of the Whole that House Bill No. 254 be placed on the calendar.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that House Bill No. 116 be placed on the calendar.

Mr. Symington moved that Mr. Godwin's motion be laid on the table.

The question being on Mr. Symington's motion, a division was called for and the motion was lost.

Mr. Symington offered as a substitute motion that House Bill No. 116 be referred back to the committee.

Which motion was lost.

The question being on Mr. Godwin's original motion, the motion prevailed.

Mr. Schauss moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

#### FORTY-FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 17, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Hildebrand Eickhoff of Mandan.

The roll was called and all members were present except Representatives Benno, Fitch, Frosaker, Gilberg, Godwin, Holthusen, Johnson, Kapaun, Schimke, Severson, Stray, Twichell, Wendland, and Wick.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-second Day after recess and Forty-third Day and recommend that the same be corrected as follows:

Remove entire enrollment and engrossment report covering House Bill 217 on page 912 and place it on page 904. Strike out line 14 on page 934 and insert in lieu thereof "So the bill lost." The same being an attempted amendment of a referred measure which requires a two-thirds vote.

On page 950 Mr. Holmquist is shown as voting "aye" whereas he voted "no."

On page 950 Mr. Ireland is shown as voting "aye" whereas he voted "no."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 42.

Very respectfully,

THOMAS McDONALD,  
Secretary.

PETITIONS AND COMMUNICATIONS

MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR  
Bismarck

February 16, 1937.

To the Members of the House of Representatives, Twenty-fifth Legislative Assembly.

Gentlemen:

This is to inform you that I have signed:

House Bill No. 10. A Bill for an Act Making an Appro-

priation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

On February 16th, at 2:50 P. M.

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

On February 16, at 2:31 P. M.

House Bill No. 41. 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.

On February 16, at 2:52 P. M.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

On February 16, at 11:15 A. M.

The above named bills have been delivered to the Secretary of State.

Respectfully,

WILLIAM LANGER,  
Governor.

A communication from 100 taxpayers of Wilton urging the passage of House Bill No. 216.

A communication from twenty residents of Crosby urging the defeat of House Bill No. 216.

A telegram signed by twenty residents of Grand Forks urging favorable consideration of House Bill No. 193.

Nine telegrams from Fargo and Grand Forks urging defeat of House Bill No. 215.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. Speaker: I have the honor to transmit, herewith the following bills:

SENATE CONCURRENT RESOLUTION "H".

Senate Concurrent Resolution "P".

Senate Concurrent Resolution "O".

Which the Senate has adopted.

Senate Bill No. 214. A Bill for an Act to Amend and Re-enact Section 3314a6 of the Supplement to the Compiled Laws of 1913, Providing that all Expenditures Must Conform to the County Budget as Adopted; Providing that no Bill Incurred in Excess of Any Budget Item May be Paid or Included in Any Succeeding Appropriation or Budget, and Defining Duties of County Auditor.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 959 of the Supplement to the Compiled Laws of 1913 Relating to Election Ballots.

Also,

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Also,

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Also,

Senate Bill No. 168. A Bill for an Act to Create, Define and Establish "Airmen's Association of the State of North Dakota," Providing for the Creation of a Fund for the Use of Said Association to be Known as "Airmen's Aviation Fund."

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They

Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Also,

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-

enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1935 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for Its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the Year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Vet-

erans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 42. 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.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 1, Chapter 196, Session Laws, 1933, Relating to the Salaries of Elected and Appointive State Officers, to Read as Follows.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the action by which House Bill No. 300 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 276. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligance in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sections 3, 5, 6, 7, 8, 9, 10, 11 and 12 and to Repeal Section 4 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of this Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, as Amended by Chapter 97 of the Session Laws of 1935 and Chapter 98 of the Session Laws of 1935, Relating to the Manufacture and Sale of Beer, Providing a Saving Clause, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.



Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 437 of the Compiled Laws of North Dakota for 1913 Relating to Duties of Local Registrars, Sub-Registrars.

Have had the same under consideration and recommend that the same be submitted to the Committee on Public Health.

EDW. SAVRE,  
Chairman.

Mr. White moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fitch moved that the committee report on House Bill No. 257 be deferred temporarily, which motion prevailed.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 11281 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Commitment to the State Training School of Certain Persons Under the Age of 25 Years Convicted in the Courts of This State, by Order of the Court; Repealing Acts in Conflict Herewith; Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. White moved that the report be adopted.

Mr. Burgum offered as a substitute motion that House Bill No. 184 be referred to General Orders for amendment, which motion was lost.

The question being on the original motion of Mr. White, the motion prevailed, and House Bill No. 184 was indefinitely postponed.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

HOUSE CONCURRENT RESOLUTION "X", That the following amendment to Section 154 of the Constitution of the State of North Dakota, be agreed to and submitted to

the qualified electors of the State for approval or rejection in accordance with the provisions of Section 202, as amended, of the Constitution of the State of North Dakota.

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

In line 14 of the original Resolution "X", strike out the word "all".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Schauss moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

HOUSE CONCURRENT RESOLUTION "L", Providing for the amendment and re-enactment of Section 25 of Article 2 of the Constitution of North Dakota, as amended by Article 26 of Amendments to the Constitution of North Dakota, providing for the Legislative Department, the initiative and referendum and procedure thereunder.

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

Page 3, line 39 after the word "emergency", remove the word "petition" and in lieu thereof insert the word "measure".

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Ireland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 137, Session Laws of 1931, Relating to Filling of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Rait moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

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

In line 4 in the title of the printed bill, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

Page 2, line 27, of the printed bill, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 30, page 2, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Morris moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 11269b4 of the Supplement to the Compiled Laws of 1913 Relating to Compensation to Be Paid as Relief for Wrongful Imprisonment.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Knudson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 3543 of the Supplement to the Compiled Laws of North Dakota for the Year 1913. Relating to the Appointment and Salary of Deputy Sheriffs.

Have had the same under consideration and recommend that the same be indefinitely postponed.

**EDW. SAVRE,**  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 285. A Bill for an Act Creating a State Department of Justice and Public Safety, Defining Its Jurisdiction, Powers, Duties, and Relation to Existing Governmental Departments, Sub-divisions and Officer of Governmental Departments and Sub-divisions, Under the Supervision and Control of the Industrial Commission, and Repealing All Existing Laws in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

**VAL. P. WOLF,**  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 286. A Bill for an Act to Amend and Re-enact Section 4874 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 172 of the Session Laws of North Dakota for 1931, Relating to Domestic Mutual Insurance Companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

**LEONAS MYERS,**  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 288. A Bill for an Act Authorizing Counties to Levy a Tax to Provide Medical, Surgical and Hospital Care for Its Residents, Providing Procedure for Adoption and for Discontinuing, Giving County Commissioners Certain Powers and Placing Certain Restrictions, Authorizing:

County Commissioners to Foster Maternity Homes and Provide Hospital Care for Mothers and Expectant Mothers, Establishing Medical and Surgical Fees to Be Paid Attending Physicians, Surgeons, Chiropractors and Osteopaths and Limiting Fees to Be Charged by Such Physicians, Surgeons, Chiropractors and Osteopaths and Hospitals, and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

L. C. ODEGARD,  
Chairman.

William H. Tuff moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bili No. 289. A Bill for an Act to Re-enact Section 8105 of the Compiled Laws of North Dakota for the Year 1913, and to Provide as to Sales of Real Estate Under a Decree of Mortgage Foreclosure, by Whom and Where They Shall Be Made, and the Manner of Publishing Notice to Be Given of Such Sales.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW: SAVRE,  
Chairman.

Mr. Rait moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report: .

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 290. A Bill for an Act Providing for the Disposition of Fines, Forfeitures, and Pecuniary Penalties Prescribed as Punishment.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Livingston moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 299. A Bill for an Act to Amend and Re-

enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Akland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted.

Mr. Ritter offered as a substitute motion that further consideration of House Bill No. 303 be indefinitely postponed.

Mr. Kapaun offered as a substitute motion that House Bill No. 303 be re-referred to the committee on Tax and Tax Laws, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of the Session Laws of North Dakota for 1931: Entitled—"An Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers, and Making an Appropriation Therefor."

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 309. A Bill for an Act to Permit Incorporated Cities and Villages to Engage in the Liquor Traffic by Establishing and Operating Municipal Liquor Stores, and to Provide a Method of so Doing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Peterson of Bottineau moved that the report be adopted.

Mr. Morland offered as a substitute motion that House Bill No. 309 be recommended for passage, which motion was lost.

The question being on the original motion of Mr. Peterson of Bottineau the motion prevailed and House Bill No. 309 was indefinitely postponed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 313. A Bill for an Act Making All Payments Made by Any County for Aid for a Deceased Person or for Funeral Expenses a Valid Debt of and Prior Claim Against the Estate of Such Deceased Person, and Providing for the Collection Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres. Where They May Be Required, and Making No Restrictions

as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Have had the same under consideration and recommend that the same do pass.

W. W. TREFFRY,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

In Section 1, line 11, page 2, remove letters S S.

In Section 1, line 22, page 2, remove letters S S.

In Section 1, line 33, page 3, remove letters S S.

In Section 1, line 47, page 3, remove letters S S.

And when so amended recommend the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 329. A Bill for an Act Legalizing and Declaring Legal All Foreclosures by Advertisement Heretofore conducted Notwithstanding the Mortgage Foreclosed Contained No Power of Sale.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Ireland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:



Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 330. A Bill for an Act Providing for Licensing of Employment Agencies; Fixing License Fee: Making It Unlawful to Conduct an Employment Agency Until Duly Licensed and Providing Penalties.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 337. A Bill for an Act Levying a Tax of One Cent (1c) Upon Each Fifty Cents or Fraction Thereof Charged for Tickets or Admissions to Theatres, Places of Amusement and Athletic Events; Providing for the Collection of Such Tax and for the Deposit of the Same in the Equalization Fund for the Benefit of the Common Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 338. A Bill for an Act to Repeal Sections 5575, 5576, 5577, 5578 of the 1913 Compiled Laws of the State of North Dakota, Relating to Proof and Acknowledgment of Instruments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

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

In line 4 of the title of the printed bill, strike out everything after the word "Excepting" and in line 5, strike out everything up to the word "and" at the end of the line and insert in lieu thereof the following: "Fraternal Benefit Societies as defined by Section 5059 of the Compiled Laws of North Dakota for 1913".

On page 2, Section 2, line 2 after the word "any" and before the word "corporation", insert the word "domestic".

In line 3, page 2, Section 2, strike out the words "domestic or foreign".

Page 4, Section 5, line 14 after the semi-colon following the word "society" and before the word "Provided", insert the following: "provided that such group or unit shall have a period of sixty (60) days in which to restore its membership to the minimum herein provided".

Page 12, Section 21 at the end of line 3, strike out the word "organized" and strike out all of line 4, Section 21 and all of line 5 up to the word "nor" and insert in lieu thereof the

following "as defined by Section 5059 of the Compiled Laws of North Dakota for 1913".

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

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

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment moves that the name of E. A. Ernest be stricken from the employment list and the name of Herman Lybeck be substituted in his place as assistant Sergeant-at-Arms and door keeper.

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Speaker administered the oath of office to Herman Lybeck as assistant Sergeant-at-Arms.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of

Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH ORDER OF BUSINESS

Mr. Shure of Cass moved that the action by which the House recommended the passage of House Bill No. 290 be reconsidered, which motion prevailed.

Mr. Shure of Cass moved that further consideration of House Bill No. 290 be indefinitely postponed, which motion prevailed.

Mr. Greiser asked the unanimous consent of the House to withdraw House Bill No. 355, which consent was granted.

Mr. Wolf moved that House Bill No. 257 be transferred from the State Affairs Committee to the Committee on Public Health, which motion prevailed.

Mr. Knudson of Steele moved that House Bill No. 281 be re-referred to the Judiciary Committee, which motion prevailed.

## FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 371. A Bill for an Act to Amend and Re-enact Subdivision 6 of Section 4 of Chapter 97 of the Session Laws of 1933, Providing for the Determination of Legal Residence of Persons Lawfully Entitled to Poor Relief.

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

The Committee on Delayed Bills introduced:

House Bill No. 372. A Bill for an Act Authorizing Emergency Money Grants by the State Equalization Fund to School Districts; Providing for an Audit in Such Cases by the State Examiner; Repealing Acts in Conflict Herewith and Declaring an Emergency.

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

## SEVENTH ORDER OF BUSINESS

Mr. Solberg moved that the vote by which House Bill No. 211 was lost be reconsidered, which motion lost.

Mr. Hagen requested the consent of the House to read an extract from a letter he had received from Schafer, North Dakota, which consent was granted and Mr. Hagen read the communication.

Mr. Wolf moved that the extract be printed in the Journal, which motion prevailed.

Extract from letter received by Representative Hagen from Schafer, North Dakota:

"Well, how are you getting along? Things here are not too good, but we are still living. Two horses, two calves and

one milk cow starved to death, but I hope they won't get my family.

Yours, Paul J. Gonnsen."

Mr. Beggs moved that House Bill No. 369 and House Bill No. 370 be printed, which motion prevailed.

Mr. Frazier moved that House Bill No. 368 be printed, which motion prevailed.

Mr. Godwin moved that the House recess until 4:50 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 4:50 P. M., pursuant to recess, Speaker Dahl presiding.

#### SECOND READING OF HOUSE BILLS

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing 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, 87; nays, 1; absent and not voting 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Bowman
Akland	Huseby	Olson, Sargent
Anderson	Jensen	Page
Anfinson	Johnson	Peterson, Renville
Beasley	Jones	Peterson, Richland
Beggs	Just	Pewe
Benno	Kapaun	Rait
Bjornson	Knudson, Steele	Sand
Black	Knutson, LaMoure	Sandness
Blair	Krank	Saumur
Brown	Kraus	Savre
Brusseau	LaBerge	Schauss
Day	Langford	Schimke
Dullea	Leum	Semerad
Fitch	Livingston	Severson
Frazier	McInnes	Shure, Cass
Freitag	McIntee	Solberg
Frey	Magill	Sticka
Frosaker	Morland	Stray
Gessner	Morris	Symington
Godwin	Myers	Thompson
Goodlaxon	Niewoehner	Thoreson

Messrs.	Messrs.	Messrs.
Greiser	Nelson, Cass	Traynor
Hagen	Norheim	Tuff
Haines	Obach	Tweten
Hofstrand	O'Brien	Urschel
Holm	Odegard	Williams
Holmquist	Oglesby	Wolf
Holthusen	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.  
Trydahl

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Gilberg	Ritter
Biberdorf	Graham	Seibel
Bieloh	Ireland	Shurr, Bottineau
Billigmeier	Jury	Treffry
Burgum	Levin	Twichell
Byrne	Nelson, Sargent	Wendland
Caddell	Olson, McLean	White
Dalzell	Peterson, Bot'neau	Wick
Dittmer		

So the bill passed and the title was agreed to.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, 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, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, Sargent
Akland	Hultstrand	Page
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jones	Rait
Biberdorf	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre
Blair	Krank	Schauss
Brown	Kraus	Schimke
Brusseau	LaBerge	Seibel
Burgum	Langford	Semerad



Byrne	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Urschel
Greiser	Odegard	White
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist	Olson, McLean	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Hofstrand	Shurr, Bottineau
Bieloh	Jury	Twichell
Gilberg	Nelson, Sargent	Wendland
Godwin	Ritter	Wick

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

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

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, 96; nays, 8; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Akland	Holmquist	Olson, Bowman
Anderson	Holthusen	Olson, McLean
Anfinson	Huseby	Olson, Sargent
Beasley	Ireland	Page
Beaton	Jensen	Peterson, Bot'neau
Beggs	Johnson	Peterson, Renville
Benno	Jones	Peterson, Richland
Billigmeier	Jury	Pewe
Bjornson	Just	Rait
Black	Kapaun	Sandness
Blair	Knudson, Steele	Saumur

Messrs.	Messrs.	Messrs.
Brown	Knutson, LaMoure	Savre
Brusseau	Krank	Schauss
Burgum	Kraus	Schimbe
Byrne	LaBerge	Seibel
Dalzell	Langford	Semerad
Day	Leum	Severson
Dittmer	Levin	Shure, Cass
Dullea	Livingston	Solberg
Fitch	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Magill	Symington
Frey	Morland	Thoreson
Frosaker	Morris	Traynor
Gessner	Myers	Treffry
Godwin	Niewoehner	Trydahl
Goodlaxon	Nelson, Cass	Tuff
Graham	Norheim	Tweten
Greiser	Obach	Urschel
Hagen	O'Brien	White
Haines	Odegard	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Ritter	Wolf
Hultstrand	Shurr, Bottineau	Mr. Speaker
Oglesby	Thompson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Hofstrand	Twichell
Caddell	Nelson, Sargent	Wendland
Gilberg	Sand	Wick

So the bill passed and the title was agreed to.

FIFTH ORDER OF BUSINESS

REPORT OF HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 42. 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.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

HOUSE RESOLUTION "D." Pertaining to investigations of livestock, credit corporations and companies.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SEVENTH ORDER OF BUSINESS.

Mr. Wolf moved that House Bill No. 275 be transferred from the State Affairs Committee to the Committee on Agriculture.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

HOUSE RESOLUTION "D."

Also,

House Bill No. 42. 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.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

House Bill No. 42. 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.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, 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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.  
Adam  
Akland

Messrs.  
Holthusen  
Hultstrand

Messrs.  
Olson, McLean  
Olson, Sargent

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Page
Anfinson	Ireland	Peterson, Bot'neau
Beasley	Jensen	Peterson, Renville
Beaton	Johnson	Peterson, Richland
Beggs	Jones	Pewe
Benno	Jury	Rait
Biberdorf	Just	Ritter
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brown	LaBerge	Semerad
Brusseau	Langford	Seibel
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	Magill	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Urschel
Greiser	Odegard	White
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gessner	Nelson, Sargent	Twichell
Gilberg	Sand	Wendland
Godwin	Trydahl	Wick
Hofstrand		

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

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

Was read the second time.

Mr. Morland moved that further consideration of House Bill No. 232 be indefinitely postponed, which motion prevailed.

Mr. Traynor moved that the action by which House Bill No. 232 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of 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, 74; nays, 30; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Biberdorf	Ireland	Rait
Bieloh	Jensen	Ritter
Bjornson	Johnson	Sandness
Brown	Jury	Schauss
Brusseau	Kapaun	Schimke
Byrne	Knudson, Steele	Seibel
Caddell	Krank	Semerad
Dalzell	Kraus	Shure, Cass
Day	LaBerge	Shurr, Bottineau
Dittmer	Leum	Solberg
Fitch	Levin	Stray
Freitag	Livingston	Symington
Frey	McIntee	Thompson
Frosaker	Magill	Thoreson
Gessner	Morland	Treffry
Godwin	Nelson, Cass	Tuff
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Langford	Pewe
Beaton	McInnes	Saumur
Billigmeier	Morris	Savre
Black	Myers	Severson
Blair	Niewoehner	Sticka
Dullea	Nelson, Sargent	Traynor

Messrs.	Messrs.	Messrs.
Goodlaxon	Norheim	Trydahl
Graham	Odegard	White
Jones	Oglesby	Williams
Just	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Gilberg	Twichell
Burgum	Knutson, LaMoure	Wendland
Frazier	Sand	Wick

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

Mr. Akland moved that the vote by which House Bill No. 249 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for Its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the Year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Was read the second time.

Mr. Trydahl asked unanimous consent to amend the bill as follows:

In all sections of the original bill, change the wording "Paragraph" to read "Section."

On page 5, Section 2, in line 55 of the printed bill, strike out the words "his or its" and insert in lieu thereof the word "his."

In the first line of Section 3 of the printed bill, change the word "is" to "it."

The consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 201 be considered properly re-engrossed and placed on 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, 81; nays, 18; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Benno	Knudson, Steele	Rait
Bieloh	Krank	Ritter
Billigmeier	Kraus	Sand
Bjornson	LaBerge	Sandness
Blair	Langford	Savre
Brown	Leum	Schauss
Brusseau	Livingston	Seibel
Byrne	McInnes	Semerad
Caddell	McIntee	Severson
Day	Magill	Shure, Cass
Dullea	Morland	Solberg
Fitch	Morris	Sticka
Frazier	Myers	Stray
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Sargent	Thoreson
Godwin	Norheim	Treffry
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Greiser	Odegard	Urschel
Hagen	Oglesby	White
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jury	Page
Beggs	Kapaun	Saumur
Dalzell	Knutson, LaMoure	Shurr, Bottineau
Dittmer	Levin	Symington
Holthusen	Nelson, Cass	Trydahl
Jones	Olson, McLean	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Gilberg	Traynor
Black	Hultstrand	Twichel
Burgum	Johnson	Wendland
Freitag	Just	Wick
Frey	Schimke	

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



House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Was read the second time.

Mr. Burgum asked unanimous consent to amend the original bill by inserting the word "Section" before the figure "1" in the first line of Section 1, and inserting the word "Section" before the figure "2" and also before the figures "3264" in the first line of Section 2.

Which consent was granted.

Mr. Burgum moved that the rules be suspended and that House Bill No. 130 be considered properly re-engrossed and placed on 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, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, Bowman
Akland	Hultstrand	Olson, McLean
Anderson	Huseby	Olson, Sargent
Anfinson	Ireland	Page
Beasley	Jensen	Peterson, Bot'neau
Beaton	Johnson	Peterson, Renville
Beggs	Jones	Peterson, Richland
Bieloh	Jury	Pewe
Billigmeier	Just	Rait
Bjornson	Kapaun	Sand
Blair	Knudson, Steele	Sandness
Brown	Knutson, LaMoure	Saumur
Brusseau	Kraus	Savre
Burgum	LaBerge	Seibel
Byrne	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Frazier	Magill	Symington
Freitag	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Traynor
Gessner	Niewoehner	Treffry
Godwin	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Tuff
Graham	Norheim	Tweten
Greiser	Obach	Urschel
Haines	O'Brien	White

Messrs.	Messrs.	Messrs.
Hofstrand	Odegard	Williams
Holm	Oglesby	Wolf
Holmquist	Olson, Adams	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Hagen	Semerad
Biberdorf	Krank	Twichell
Black	Ritter	Wendland
Fitch	Schauss	Wick
Gilberg	Schimke	

So the bill passed and the title was agreed to.

The Speaker called Mr. Wolf to the chair.

**REPORT OF STANDING COMMITTEE**

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Also,

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Were delivered to the Governor for his approval at the hour of 2:40 o'clock p. m., February 17, 1937.

CARL H. DITTMER,  
Chairman.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1937.

Mr. Speaker: I have the honor to request the return of Senate Concurrent Resolution "J."

Very respectfully,  
THOMAS McDONALD,  
Secretary.

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

Was read the second time.

Mr. Stray moved that further consideration of House Bill No. 157 be indefinitely postponed.

Mr. Caddell moved the previous question, which motion prevailed.

The question being on Mr. Stray's motion, the motion prevailed and House Bill No. 157 was indefinitely postponed.

Mr. Godwin moved that the vote by which House Bill No. 157 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation 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, 97; nays, 5; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Anderson	Johnson	Peterson, Richland
Anfinson	Jones	Pewe
Beasley	Jury	Rait
Benno	Just	Ritter
Bieloh	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Saumur
Blair	Kraus	Savre
Brown	LaBerge	Schauss
Brusseau	Langford	Schimke
Burgum	Leum	Seibel
Byrne	Levin	Semerad
Caddell	Livingston	Severson
Dalzell	McInnes	Shure, Cass
Day	McIntee	Shurr, Bottineau
Dullea	Magill	Solberg
Fitch	Morland	Sticka
Freitag	Myers	Stray
Frey	Niewoehner	Symington

Messrs.	Messrs.	Messrs.
Gessner	Nelson, Cass	Thompson
Godwin	Norheim	Thoreson
Goodlaxon	Obach	Traynor
Graham	O'Brien	Treffry
Greiser	Odegard	Trydahl
Hagen	Oglesby	Tuff
Haines	Olson, Adams	Tweten
Hofstrand	Olson, Bowman	Urschel
Holm	Olson, McLean	White
Holthusen	Olson, Sargent	Williams
Hultstrand	Page	Wolf
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Dittmer	Morris
Biberdorf	Frazier	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Holmquist	Wendland
Black	Krank	Wick
Frosaker	Nelson, Sargent	Mr. Speaker
Gilberg	Twichell	

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

Mr. Sand moved that the vote by which House Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Chapter 281 of the Session Laws of North Dakota for the Year 1927, and Chapter 74 of the Laws of 1929, Relating to the Office of Veterans' Service Commissioner, and Amending the Same with Reference to Qualifications and the Manner of Appointment of Such Service Commissioner and Salary and Expense of Carrying Out Provisions of This Act.

Was read the second time.

Mr. Schauss 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, 83; nays, 21; absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, McLean
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Richland
Akland	Holthusen	Rait

Messrs.	Messrs.	Messrs.
Beaton	Hultstrand	Ritter
Beggs	Huseby	Sand
Benno	Ireland	Saumur
Biberdorf	Jensen	Savre
Billigmeier	Johnson	Schauss
Bjornson	Jury	Schimke
Blair	Just	Seibel
Brusseau	Knutson, LaMoure	Semerad
Burgum	Kraus	Severson
Byrne	LaBerge	Shure, Cass
Caddell	Langford	Shurr, Bottineau
Day	Leum	Solberg
Dittmer	Levin	Sticka
Dullea	Livingston	Stray
Fitch	McInnes	Thoreson
Frazier	McIntee	Treffry
Freitag	Magill	Trydahl
Frey	Morris	Tuff
Gessner	Myers	Tweten
Godwin	Norheim	Urschel
Graham	Obach	White
Greiser	O'Brien	Wolf
Hagen	Odegard	Mr. Speaker
Haines	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Morland	Peterson, Renville
Bieloh	Niewoehner	Pewe
Brown	Nelson, Sargent	Sandness
Dalzell	Oglesby	Symington
Goodlaxon	Olson, Bowman	Thompson
Kapaun	Olson, Sargent	Traynor
Knudson, Steele	Page	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Black	Jones	Twichell
Frosaker	Krank	Wendland
Gilberg	Nelson, Cass	Wick

So the bill passed and the title was agreed to.

Mr. Schauss moved that the vote by which House Bill No. 297 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fitch: My reasons for opposing the committee report yesterday was because of the method of selection of the Veterans Service Commissioner, as provided for in this bill. I do not think it is fair to the veterans of this state, the nine thousand members of the American Legion and the seven thousand members of the American Legion Auxiliary who alone have been responsible, not only for the establishment of the office in the original instance, but every year since that time have raised the additional finances necessary to

operate efficiently, this office. They are now by the provisions of this bill given the same apportionment of representation as the other veterans organizations, which, as I am advised, have approximately the following membership: The Disabled American Veterans, two hundred; Spanish-American War Veterans, have less than three hundred; Veterans of Foreign Wars, have a membership of less than one thousand paid members. I can see no reason why the adjutant general should be a member of this committee for the reason that he has nothing to do with this office and there is no connection between the two.

Mr. Page: I vote "no" on this bill for the reason that it is an appropriation measure which has not been passed on by the Appropriations Committee.

Mr. Thompson: This is an appropriation bill I didn't see until today, and I am on the Appropriations Committee. I vote "no".

Mr. Symington: I vote "no" because I don't believe in dictatorship.

Mr. Dahl: I vote "aye" on this bill because I believe in the American form of government.

Mr. Magill: I vote "aye" on this bill because I understand the item has already been approved by the Appropriations Committee.

Mr. Godwin: For the purpose of a record in the Journal I want to say that this appropriation was considered by the Appropriations Committee and was passed upon and recommended in House Bill No. 38.

Mr. Holm: I voted for this bill, because I see it contains reference to the same amount in dollars and cents as the other bill, and just for the simple reason that I happen to come from another political faction than the governor, nevertheless I am for it when it comes to this matter. I am here for the cause of the American Legion and the soldiers and it makes no difference to me which one is Service Commissioner.

## FIFTH ORDER OF BUSINESS

### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 187. A Bill for an Act Making an Appropriation to Provide Funds for the State Athletic Commission of the State of North Dakota for the Purpose of Paying Salary of Secretary and Commissioner and Furnishing Supplies and Equipment.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

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

In printed bill, page 2, Section 2, line 3, strike out the words "Two Thousand Five Hundred Dollars" and insert in lieu thereof the words "One Thousand Five Hundred Dollars".

In printed bill, page 2, Section 2, line 4, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$1,500.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

In the engrossed bill, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,000.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 97. A Bill for an Act to Provide for the Collection of Delinquent Taxes Levied and Assessed Upon Real and/or Personal Property from the Rents, Issues and Income Thereof by Means of Receivership. Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Ole Stray moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Page moved that the action by which Senate Bill No. 97 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Anfinson requested an extension of time on House Bill No. 49.

Which extension was granted.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: Ed Crook, Rugby; K. L. Leetz, Rugby; L. S. Larson, James-



town; S. T. Calveledge, Jamestown; Christie Nielson; O. V. Kolb, Minot; Stanly Frank, Dickinson; Ray Schnell, Dickinson; Julius Suputi, Wishek; E. D. Culver, Dickinson; Henry Holt, Grand Forks; M. M. Werran, Balto; Hadrian Lestmeister, Balto; Tony Binek, Beulah; C. E. Stewart, Ray; Albert Smallbergey, Hebron; Percy Hanson, Jamestown; E. J. Supsit, Wishek; M. D. Leinegar, Cooperstown; Mr. Haugen, Souris; Joe Sutilman, Dickinson; Pat Daly, Dickinson; Walter Hamonn, Richardton; Conrad Scholl, Washburn; E. L. Hubbard, Mohall; Tom Dougherty, Mohall; John H. Mantz, Anamoose; Ole Brend, Cummings; Edythe Schmidt, Bowden.

Mr. Godwin moved that the House recess until 12:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-FOURTH DAY AFTER RECESS AND  
FORTY-FIFTH DAY

House of Representatives.  
Bismarck, North Dakota.  
February 18, 1937.

The House convened at 12:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

MESAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR  
Bismarck

February 18, 1937.

To the Members of the House of Representatives,

Twenty-fifth Legislative Assembly.  
Gentlemen:

This is to inform you that I have signed:

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the Senate, and Declaring an Emergency.

At 5:15 P. M., February 17th.

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Assessments of Premiums Against Municipalities, and Declaring an Emergency.

At 9:35 A. M., February 18th.

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Inde-

pendent School Districts; Requiring Establishment of Polling Places for Each 6,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

At 8:25 P. M., February 17th.

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

At 10:15 A. M., February 18th.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous General Expenses of the North Dakota Procurement Officer, as Provided by Chapter 219, Session Laws of 1935.

At 9:30 A. M., February 18th.

The above named bills have been delivered to the Secretary of State.

Respectfully,

WILLIAM LANGER,  
Governor.

#### GENERAL ORDERS

Mr. Greiser moved that the House resolve itself into Committee of the Whole for the consideration of general orders.

Which motion prevailed.

The Speaker called Mr. Greiser to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 163. A Bill for an Act to Amend and Repeal Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Ad-

mitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 4 in the title of the printed bill, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

Page 2, line 27, of the printed bill, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 30, page 2, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

And when so amended recommend same do pass.

Also,

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend the adoption of the Standing Committees' amendments as follows:

In Section 1, line 11, page 2, remove letters S S.

In Section 1, line 22, page 2, remove letters S S.

In Section 1, line 33, page 3, remove letters S S.

In Section 1, line 47, page 3, remove letters S S.

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION "X" Constitutional amendment.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 14 of the original Resolution "X," strike out the word "all."

And the further amendment.

In line 19 of the original bill, correct the spelling of the word "Provided."

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION "L", Providing for the amendment and re-enactment of Section 25 of Article 2 of the Constitution of North Dakota, as amended by Article 26 of Amendments to the Constitution of North Dakota, providing for the Legislative Department, the initiative and referendum and procedure thereunder.

And recommend the adoption of the Standing Committee's amendments as follows:

Page 3, line 39 after the word "emergency," remove the word "petition" and in lieu thereof insert the word "measure."

And the further amendment:

In line 96, on page 5, of the printed bill, strike out the word "received" and insert in lieu thereof the word "reserved."

And when so amended recommend the same do pass.

Also:

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

And recommend the adoption of the Standing Committee's amendment as follows:

In the engrossed bill, Section 1, line 3 which is Section 1, line 3 of the printed bill, strike out the figures "\$260,931.00" and insert in lieu thereof the figures "\$262,431.00."

Engrossed bill, line 14 which is line 15 of the printed bill, strike out the figures "24,000.00" and insert in lieu thereof the figures "23,400.00."

Engrossed bill, line 15 which is line 16 of the printed bill, strike out the figures "2,000.00" and insert in lieu thereof the figures "1,600.00."

Engrossed bill, line 21 which is line 22 of the printed bill, strike out the figures "1,000.00" and insert in lieu thereof the figures "500.00."

Engrossed bill, line 22 which is page 2, line 23 of the printed bill, strike out the figures "6,000.00" and insert in lieu thereof the figures "8,000.00."

Engrossed bill, line 30 which is page 2, line 32 of the printed bill, strike out the figures "\$278,681.00" and insert in lieu thereof the figures "\$279,181.00."

Engrossed bill, line 32 which is page 2, line 35 of the printed bill, strike out the figures "\$203,681.00" and insert in lieu thereof the figures "\$204,181.00."

Engrossed bill, after line 36 which is line 40 on page 3 of the printed bill, re-insert the words "Water System, Grounds" and insert the figures "1,000.00."

Engrossed bill, line 46 which is page 3, line 54 of the printed bill, strike out total figures "\$260,931.00" and insert in lieu thereof the figures "\$262,431.00."

And when so amended recommend the same do pass.

Also:

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's Amendments as follows:

In line 4 of the title of the printed bill, strike out everything after the word "Excepting" and in line 5, strike out everything up to the word "and" at the end of the line and insert in lieu thereof the following: "Fraternal Benefit Societies as defined by Section 5059 of the Compiled Laws of North Dakota for 1913."

On page 2, Section 2, line 2 after the word "any" and before the word "corporation," insert the word "domestic."

In line 3, page 2, Section 2, strike out the words "domestic or foreign."

Page 4, Section 5, line 14 after the semi-colon following the word "society" and before the word "Provided," insert the following: "provided that such group or unit shall have a period of sixty (60) days in which to restore its membership to the minimum herein provided."

Page 12, Section 21 at the end of line 3, strike out the word "organized" and strike out all of line 4, Section 21 and all of line 5 up to the word "nor" and insert in lieu thereof the following "as defined by Section 5059 of the Compiled Laws of North Dakota for 1913."

And the further amendment:

In line 13 of page 4, strike out the words and figures "three hundred (300)" and insert in lieu thereof the words and figures "two hundreds (200)."

And when so amended recommend the same do pass.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

And recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases,

Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,000.00".

And when so amended recommend the same do pass.

ROB. GREISER,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House request the Governor to return House Bill No. 78, which motion prevailed.

Mr. Levin moved that the House reconsider the action taken on House Bill No. 40, which motion prevailed.

Mr. Godwin moved that the House request the Senate to return House Bill No. 40, which motion prevailed.

Mr. Godwin moved that the action by which House Bill No. 116 was placed on the calendar be reconsidered, which motion prevailed.

Mr. Morland moved that House Bill No. 116 be re-referred to committee, which motion prevailed and House Bill No. 116 was re-referred to the Committee on Insurance.

Mr. Frazier moved that House Bill No. 350, House Bill No. 347, House Bill No. 346 and House Bill No. 345 be referred to the Committee on State Affairs, which motion prevailed.

Mr. Jensen moved that House Bill No. 293, House Bill No. 294 and House Bill No. 295 be transferred from the Committee on Tax and Tax Laws to the Committee on Highways and Bridges, which motion prevailed.

#### MESSAGE TO THE GOVERNOR

House of Representatives,  
Bismarck, North Dakota,  
February 18, 1937.

Honorable William Langer, Governor:

The House respectfully requests the return of House Bill No. 78 at 1:50 o'clock P. M.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Symington requested that the House be on the Twelfth Order of Business, which request was granted.

## TWELFTH ORDER OF BUSINESS

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. Speaker: I have the honor to request the return of Senate Concurrent Resolution "J".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Symington moved to return Senate Concurrent Resolution "J" as requested by the Senate.

Mr. Godwin offered as a substitute motion that action on Senate Concurrent Resolution "J" be carried over one legislative day.

Mr. Beggs moved that Mr. Godwin's motion be laid on the table, which motion lost.

The question being on Mr. Godwin's motion the motion prevailed.

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused, which motion prevailed.

Mr. Thompson moved that the House reconsider its action in recommending House Bill No. 100 for indefinite postponement, which motion prevailed.

Mr. Thompson moved that House Bill No. 100 be placed on the calendar. A division was called for and the motion prevailed.

Mr. Wolf moved that the House reconsider its action in indefinitely postponing House Bill No. 271, which motion prevailed.

Mr. Wolf moved that House Bill No. 271 be returned to the State Affairs Committee, which motion prevailed.

Mr. Brusseau moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

## FORTY-FIFTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 18, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. R. E. Smith of Bismarck.



The roll was called and all members were present except Representatives Biberdorf, Hagen, Olson of McLean, Schauss and Wick.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-third Day after Recess and the Forty-fourth Day and recommend that the same be corrected as follows:

Remove House Bill No. 290 from the calendar.

Page 991, House Bill No. 249 shows Ireland voting "no," whereas he voted "aye."

Insert on Page 990 just before "Second Reading of House Bills" the following:

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Olson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 297. A Bill for an Act to Amend and Re-enact Chapter 281 of the Session Laws of North Dakota for the Year 1927, and Chapter 74 of the Laws of 1929, Relating

to the Office of Veterans' Service Commissioner, and Amending the Same with Reference to Qualifications and the Manner of Appointment of Such Service Commissioner and Salary and Expense of Carrying Out Provisions of This Act.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

A petition signed by thirty-six North Dakota citizens requesting the passage of House Bill No. 193.

A petition signed by sixty-nine residents of Rolette County proposing the passage of House Bill No. 216.

A protest and prayer for relief because of loss of taxing valuation in Kensal School District No. 19, Stutsman County, caused by the federal project at Arrowood and Jim Lakes.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGIROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

Also,

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption and After Foreclosure or Execution Sales and Purchasers

at Such Sales, Against Waste, Permitting Payment of Taxes, Interest, and Insurance Premiums, and Declaring an Emergency.

Also,

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or Other Lien, Without Process of Court, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Just 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. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commissioners for the Administration and and Appropriating Fees Collected to the Use of the Board of Railroad Commisisoners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Just moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 56. A Bill for an Act Relating to Tax Sale Certificates Issued to Counties, Prohibiting in Certain Cases Issuance of Tax Deeds Thereon Prior to the 31st Day of December, 1939, Making Null and Void any Tax Deed Contrary to the Provisions of This Act, Repealing Chapter 277 of the 1935 Session Laws, Suspending All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Akland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Fixing Duties and Compensations of the District Courts in Connection Therewith; Requiring Delivery of Assets to The Bank of North Dakota; Specifying Its Duties in Connection Therewith; Providing for Appointment of Attorneys and Providing Methods for Disposing of Assets and Closing Receiverships; Granting the Right of Appeal; Providing for Appointment of Temporary Receivers and Liquidating Committees; and Repealing All Acts or Parts of Acts in Conflict Herewith.

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 Relating to the Administration of Insolvent Banking Institutions; Appointing the Bank of North Dakota as Liquidating Agent Therefor; Requiring Delivery of Assets to the Bank of North Dakota, Specifying Its Duties in Connection Therewith and Providing Compensation Therefor; Providing for the Appointment of Committees to Re-open and Liquidate Such Banks; and Repealing All Acts or Parts of Acts in Conflict Herewith.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. The Bank of North Dakota is hereby appointed Liquidating Agent of all insolvent banks within the State, except such as may now or may hereafter be liquidated by the Federal Deposit Insurance Corporation under Chapter 95 of the Session Laws of 1935, and shall administer and wind up the affairs of such insolvent banks under the supervision and jurisdiction of the District Court of the County where such insolvent bank is located.

"Section 2. Immediately upon the taking effect of this Act, the General Receiver of insolvent banks of the State appointed under the provisions of Chapter 28B of the Supplement to the 1913 Compiled Laws of North Dakota, and Acts amendatory thereto, shall make a full and complete report covering each insolvent bank under his jurisdiction to the Court Commissioner or Judge of District Court appointed under the provisions of said Act and file a copy of such report with the Bank of North Dakota. If such report is found to meet with the approval of said Commissioner or Judge of District Court acting in lieu of such Commissioner, he shall enter his Order directing the said Receiver to transfer and deliver to the Bank of North Dakota all assets, records and files of such insolvent bank and take its receipt therefor and thereupon the Receiver shall be discharged. A notice shall be mailed to each creditor of said insolvent banks whose address is known. If not known then such notice shall be mailed to such creditor at the City, Town or Village where such bank is located. Such notice shall be accompanied by a true and correct statement of the financial condition of such trust, showing the appraised value of the remaining assets.

"SECTION 3. The actual expense of the Bank of North Dakota in administering the affairs of such insolvent banks, including attorneys fees, shall be paid from the assets thereof and the Manager of said Bank of North Dakota shall equitably apportion and charge to each of such banks a proportionate amount of such expense, to be approved as to each of said banks by one of the Judges of the District Court having jurisdiction.

"SECTION 4. The assets and property of such insolvent banks may be sold and conveyed in the name of such bank by the Bank of North Dakota, as Liquidating Agent, acting through its Manager, all sales of assets and deeds to real property to be approved by one of the Judges of the District Court having jurisdiction, upon petition made by the Bank of North Dakota.

"SECTION 5. It shall be the duty of the Bank of North Dakota as such Liquidating Agent to annually file with the Clerk of the District Court of the County where such insolvent banking institutions are located, a full and complete statement showing the condition of such bank as to assets and liabilities. The said Bank of North Dakota shall also file with the Clerk of said Court a full and complete statement showing receipts and disbursements made upon the completion of the administration of any of said insolvent banks and copies of all such annual and final reports shall be filed with the State Examiner. All such final reports shall be approved by one of the Judges of the said District Court.

"SECTION 6. The Bank of North Dakota shall proceed with all due expedition to administer and wind up the affairs of such insolvent bank and each of such banks shall be fully settled and closed within a period of two years from the date the liquidation thereof is assumed by the Bank of North Dakota; provided, however, upon the petition of the Manager of said Bank such period may be extended by one of the Judges of the District Court having jurisdiction of said bank for such further period as he may determine.

SECTION 7. In connection with all banking institutions to become insolvent hereafter, except as hereinbefore provided, the Bank of North Dakota shall become Liquidating Agent thereof under the terms of this Act; provided, however, that as to banking institutions that are now or may hereafter become insolvent whenever depositors representing fifty-one per cent of the deposits, exclusive of public funds covered by indemnity bond or other valuable security other than by Federal Deposit Insurance Corporation and exclusive of depositors of less than twenty-five dollars each, shall present a petition to the State Examiner setting forth a plan of reorganization or of liquidation of said bank, which has had the approval of fifty-one per cent of such depositors as described herein, and said petition is accompanied by such data and information as shall be required by said State Examiner; the said Examiner shall approve said application, and shall then request one of the Judges of the District Court having jurisdiction, upon such notice as such Judge may require to enter his order approving or rejecting such plan. If approved, the Order shall direct the Bank of North Dakota to turn over and surrender to such Committee the assets, records and files of said Bank, and thereupon the Liquidating Agent shall be discharged. The Committee named in said petition shall then proceed to reopen or liquidate such bank under the supervision of the District Court.

"SECTION 8. In the event no provision is made in this Act with reference to any matters relating to procedure touching the powers of the Court or the duty of the Bank of North Dakota, as Liquidating Agent, or committees named in connection with the matters herein referred to, the general law of the State of North Dakota, including the right of appeal, shall apply.

"SECTION 9. All Acts or parts of Acts in conflict herewith are hereby repealed: provided, however, that nothing herein contained shall be construed as repealing subdivision (w) Section 51, of Chapter 96 of the Session Laws of 1931, relating to the custody of records and assets, nor Chapter 95 of the Session Laws of 1935."

And when so amended recommend the same do pass.

J. G. THORESON,  
Chairman.

Mr. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

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

On original bill, page 2, Section 5, line 6 which is page 3, line 36 on the printed bill, strike out the semi-colon after the word "highways" strike out the balance of that line, also line 37, line 38, line 39, line 40 and line 41 up to and including the word "county."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 18, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

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

Section 1, line 9 of the printed bill, after the word "Article" strike out the rest of the line and all of line 10 and the figures "1931" at the beginning of line 11, page 2.

Page 2, line 11 after the word "misdemeanor" and before the comma (,) insert the following: "for the first offense."

Page 2, line 14 strike out the words "one year" and insert in lieu thereof the words "thirty days."

Page 2, line 15, strike out the period after the word "Court" and insert the following: "and hereafter for the second offense shall be deemed guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred (\$500.00) dollars, or by imprisonment in the county jail not exceeding one year, or both, at the discretion of the court."



Page 2, line 21, strike out the words "or who" at the end of the line.

Page 2, line 22, strike out all of line 22 except the words "or who" at the end of the line.

Page 2, line 24, after the word "name," strike out all of the rest of the line and all of line 25 up to the word "shall.."

And when so amended recommend the same do pass.

MR. ODEGARD,  
Chairman.

Mr. Tuff moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments or Installments of Special Assessments, Relating to the Bidding in of Same When no Bidders at Sale, Relating to Damages to Certificate Holders When Statutory Proceedings Not Strictly Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and for the Repeal of Inconsistent Acts, and Declaring an Emergency.

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

By striking out everything after the words "A BILL" on page 1 of the printed bill and by substituting the following in lieu of that part of the bill stricken out:

"An Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of this Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

*"Be It Enacted By the Legislative Assembly of the State of North Dakota:*

"Section 1. That Section 3733 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913 be and the same is hereby amended and re-enacted to read as follows:

"Section 3733. DELINQUENT SPECIAL ASSESSMENT TAXES, SALE FOR.) Real property shall be sold to enforce collection of special assessments, or installments of special assessments, which have become delinquent, at the same time and in the same manner as for general taxes. The sale shall be made by the same officer and upon like notice and subject to the same provision in relation to redemption and the same record thereof shall be kept by the officer making the sale as in the case of sale of real property for delinquent general taxes. If any real property is subject to sale at the same time for delinquent general taxes and also for delinquent special assessments, or installments thereof, they shall be advertised and sold together in one sum and one certificate shall be issued therefore. In case such real estate is sold for both delinquent general taxes and delinquent special assessments, or installments of special assessments, and there shall be no bidder therefor, the county auditor shall strike off such parcel of land to the county and make one certificate of sale therefor which shall cover both general taxes and special assessments delinquent. In case there is no delinquent general tax against any parcel of real estate and it is sold for special assessments alone, the certificate of tax sale shall contain a statement to the effect that the sale was for special assessments. In case of sale for special assessments only assessed by cities, villages, or any taxing district other than the county, the county auditor shall declare the property sold to the city, village or taxing district which assessed such special assessments in case there are no private bidders, and tax certificate and tax deed shall, in the usual course of procedure, be issued to such city, village or taxing district. The rights of owners of tax sale certificates issued before the enactment of this amendment shall not be affected by its enactment except as provided in Chapter 298 of the 1931 Session Laws.

"SECTION 2. REMEDY OF WARRANT HOLDERS WHEN STATUTORY PROCEEDING NOT FOLLOWED.) The failure of any city, village or other taxing district other than the county, to have had property sold for delinquent special assessments, or installments of special assessments, struck off to it in the absence of private bidders, as was required by Section 3735 of the 1913 Compiled Laws of North Dakota prior to the amendment of such section by Chapter 199 of the Session Laws of 1925, shall not by the courts of this state be construed to constitute negligence on the part of such city, village or other taxing district. In order to obligate such city, village, or other taxing district on any issue of special assessment warrants, on the ground of negligence, the negligence of such city, village or other taxing district must be established and proven as a matter of fact, and in determining such question the county auditor making the sale shall not be held to be the agent of the city, village or other taxing district so as to charge such city, village or other taxing district with responsibility for any failure of such county auditor to perform his statutory duties in connection with such sale.

"SECTION 3. MEASURE OF DAMAGES WHERE NEGLIGENCE OF DISTRICT SHOWN.) If it is shown that any

city, village or other taxing district has been guilty of negligence which will amount to a breach of its duty to holders of special assessment warrants, then such city, village or taxing district shall be liable to the holders of such special assessment warrants in damages. Such damages shall be limited to the actual damages sustained by the warrant holder or holders as the direct and proximate result of such negligence. In the event that the damage for negligence is predicated upon any act of the city, village or other taxing district which resulted in the loss of any special assessment lien upon real property, then the measure of damages shall be limited to the value of such property at the time of the trial, upon which the lien was lost, over and above the amount of the general taxes delinquent against such property at the time that the county acquired title thereto. The face amount of the warrants, involved in any action, shall be considered only as a limitation of the amount which may be recovered on such special assessment warrants in such action.

“SECTION 4. SECTIONS 2 AND 3 OF THIS ACT MADE RETROACTIVE.) Sections 2 and 3 of this Act are declaratory of the legislative intent of Section 3735 of the 1913 Compiled Laws of North Dakota, and are hereby declared to be retroactive, and shall apply to all actions brought involving special assessment warrants heretofore issued and sold under Section 3735 of the 1913 Compiled Laws of North Dakota or any other act as well as to special assessment warrants hereafter issued.

“SECTION 5. VALIDATING SALES OF LANDS FOR SPECIAL ASSESSMENTS HERETOFORE MADE.) All sales of real property for delinquent special assessments or installments thereof, heretofore made by any county auditor under Section 3735 of the 1913 Compiled Laws of North Dakota of the 1913 Compiled Laws and notwithstanding the fact that the real property subject to sale for delinquent general taxes and delinquent special assessments, or installments thereof, were not sold separately as required by Section 3735 of the 1913 Compiled Laws and notwithstanding that separate certificates were not issued for the delinquent general taxes and the delinquent special assessments or installments thereof.

“SECTION 6. SAVING CLAUSE.) If any provision or any portion of any provision of this Act shall be held invalid, the remaining portions of this Act shall be affected.

“SECTION 7. 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.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 225. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Sub-section G of Section 3, Chapter 162, Session Laws of 1919 as Amended by Chapter 260, Session Laws of 1929 and Chapter 286, Session Laws of 1935; Paragraph F of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 285, Session Laws of 1927 and Chapter 314, Session Laws of 1931; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919 as Amended by Chapter 143, Session Laws of 1921 and Which Appears as Section 396a5 of the 1925 Supplement; the Ninth and Final Paragraph of Section 7 of Chapter 162, Session Laws of 1919 as Amended by Chapter 312, Session Laws of 1931; the Fourth and Fifth Paragraphs of Section 8, Chapter 162, Session Laws of 1919 as Amended by Chapter 315, Session Laws of 1931 and Section 23 of Chapter 162, Session Laws of 1919 Which Also Appears as Section 396a23 of the 1925 Supplement.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 244. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident Licenses; Cost; How Issued; Applications, Forms; Game and Fish Shipment, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. C. OLSON,  
Chairman.

Mr. Johnson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 245. A Bill for an Act Providing for the Creation of a Special Game Conservation Fund and Providing for the Distribution Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. C. OLSON,  
Chairman.

Mr. Frey moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Maintenance, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

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

On original bill, page 1, Section 6, line 8, which is on page 2, line 16 on the printed bill, after the word "State" insert the following: "under the provision of the initiated beer measure of 1933 being an act approved September 22, 1933, and acts amendatory thereof,"

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 257. A Bill for an Act to Amend and Re-

enact Section 454 of the Compiled Laws of North Dakota for 1913 Relating to Certified Copies of Record of Births or Deaths and Fees Therefor.

Have had the same under consideration and recommend that the same do pass.

L. C. ODEGARD,  
Chairman.

Mr. Kraus moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Have had the same under consideration and recommend that the same do pass.

L. C. ODEGARD,  
Chairman.

Mr. Adams moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 437 of the Compiled Laws of North Dakota for 1918 Relating to Duties of Local Registrars, Sub-Registrars.

Have had the same under consideration and recommend that the same do pass.

MR. ODEGARD,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the

North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

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

In the heading of the bill after the word "Depositors" strike out the period and insert a comma and add "and Declaring an Emergency."

In Section 1, after the figure "1" strike out the period and insert a "comma."

In Section 1, line 1, after the letter "U" insert the following words: "Of Section 5 of Chapter 96 of the Session Laws of North Dakota for 1931."

Add "Section 2 (Emergency.) This Act is hereby declared to be an emergency and shall take effect from and after its passage and approval."

And when so amended recommend the same do pass.

J. G. THORESON,  
Chairman.

Mr. Semerad moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 281. A Bill for an Act Providing for the Granting of Divorces, Degree of Proof Required and Procedure to Be Followed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 302. A Bill for an Act Preventing the Selling of Liquor to Habitual Drunkards; Prescribing a Penalty; Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridge made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Frey moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.



Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

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

In the original bill, in line 3 of the title of the bill hyphenate the word "pari-mutuel".

In line 8 of the title of the bill insert the word "and" after the word "hereof".

In line 9 strike out the word "to".

In Section 1 line 9, after the word "positions" insert the word "and".

In Section 5, line 2 after the word "this" strike out the word "all" and insert in lieu thereof the word "act".

In Section 5, line 5, after the word "Dakota" strike out the word "Fair".

In Section 5, line 6, after the word "Association" insert the words "of fairs", and add "period".

In Section 5 line 8, between the words "some" and "also" add the word "shall".

In Section 5 line 9, after the word "fund" strike out the period and add the following: "of the State Treasurer".

In Section 6, line 2, after the word "racing" and before the word "what" insert the word "than".

And when so amended recommend the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 325. A Bill for an Act Requiring County Treasurers and County Auditors to Apply Money Paid in Liquidation of the Real Estate Taxes to the Discharge of the Oldest Unpaid Taxes; Making Receipt for Taxes Conclusive Proof of Payment of All Prior Taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 327. A Bill for an Act to Repeal Sections 4822, 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4832, and 4833, of the 1913 Compiled Laws of the State of North Dakota, Relating to Wagon Road Corporations.

Have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 328. A Bill for an Act to Repeal Sections 2055, 2056, 2057, 2058, 2059, 2060, and 2061 of the 1913 Compiled Laws of the State of North Dakota, Relating to Bridge Penalties.

Have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the original bill capitalize the words that should be capitalized.

In Section 1, line 3, correct the spelling of the word "bureau."

In Section 2, line 3, after the word "Section" insert the figure "1."

In Section 2, line 5, after the word "jail" insert the word "for."

In Section 2, line 6, change the word "no" to "not."

In Section 3, line 2, insert an "apostrophe s" in the word "state's."

And when so amended recommend the same do pass.

J. G. THORESON,  
Chairman.

Mr. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUS A. SCHAUSS,  
Chairman.

Mr. Black moved that the report be adopted.

Mr. Frazier offered as a substitute motion that House Bill No. 354 be placed on the calendar.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 198. A Bill for an Act Making an Appropriation to be Expended in Providing Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Care for Physically Handicapped or Crippled Children and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, page 1, in lines 3 and 4 of the title strike out entirely the words "and in Providing Care for Physically Handicapped or Crippled Children."

Page 1, Section 1, line 2, strike out the word "Senate" and insert in lieu thereof the word "House."

Page 1, Section 1, line 3, insert the figures "199" in blank line.

Page 1, Section 1, line 4, strike out the figures "\$2,600,000" and insert in lieu thereof the figures "\$2,550,000."

Page 1, Section 1, line 7, after the words "welfare services" strike out entirely the words "and services to crippled children."

Page 2, Section 2, line 4, strike out entirely the words "and services to crippled children."

Page 2, Section 3, lines 5 and 6, strike out the words "Services to Crippled Children" and also strike out the "comma."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the original bill, page 2, Section 5, line 1, strike out the word "to" and insert in lieu thereof the word "from."

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds for Farmers in Drouth Stricken Counties of This State; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

SENATE CONCURRENT RESOLUTION "L," A Concurrent Resolution Providing for Amendment of Section 185 of Article 12 of the Constitution of the State of North Dakota, Relating to the Powers of the State, Counties or Cities.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Have had the same under consideration and recommend that the same do pass.

EDWARD SAVRE,  
Chairman.

Mr. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 131: A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. LaBerge moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE .

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 42. 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.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 196. A Bill for an Act to Amend Section 6 of Chapter 85 of the Session Laws for the Year 1929, Re-

lating to the Licensing of Airmen and Aircraft; Making Violation Thereof a Misdemeanor, and Providing the Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring This Act to Be an Emergency Measure.

Also,

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing for the Payment of a Bounty on Crows.

Also,

Senate Bill No. 205. A Bill for an Act Empowering the State Public Health Advisory Council to Make, Amend, Repeal and Suspend Public Health Regulations Concerning the Production, Transportation, Processing, Handling, Sampling, Examination, Grading, Labeling, Regrading, and Sale of Milk and Milk Products, the Inspection of Health Certificates on Dairy Herds, Dairies and Milk Plants.

Also,

Senate Bill No. 231. A Bill for an Act Providing for the Abolition of the Office of Common School District Treasurer Upon Majority Vote at Annual School Elections.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD.  
Secretary.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:



House Bill No. 235. A Bill for an Act to appropriate \$2,500.00 to be paid to the State Historical Society of North Dakota under the direction of the Federal Writers' Project of the Works Progress Administration, to be used for the printing of The North Dakota Guide, and providing for the return of the money to the State Treasurer, and providing the manner of printing, distributing, and accounting for sale of said book.

Also,

House Bill No. 190. A Bill for an Act to amend and re-enact Section 4 of that certain initiated measure known as the Liquor Control Act entitled, "An Act to authorize, regulate, and control the transportation, importation, handling, possession, purchase, sale, and dispensing of alcohol and alcoholic beverages in the State of North Dakota: defining alcoholic beverages, providing the method of taxing and licensing the same, providing the manner of expending and distributing the revenues from such licenses and taxes; providing penalties for violations of the provisions of said act; providing for a saving clause as to the constitutionality of any part of the act; and repealing all acts and parts of acts in conflict therewith"; and approved at a State-wide election held on November 3, 1936, and providing for the calling and holding of special elections in counties to determine whether or not intoxicating liquors should be sold therein, and the time and manner of holding such elections; providing for a suspension of said liquor control act in such counties determined by the results of such elections; providing for the re-enactment of all laws prohibiting the sale of intoxicating liquor existing prior to the enactment of said initiated measure known as the liquor control act, including the penalties therein prescribed, declaring an emergency and repealing all acts or parts of acts in conflict with the provisions of this act.

Also,

House Bill No. 254. A Bill for an Act to amend and re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; providing for inspectors, judges and clerks of election, their qualifications and duties; repealing acts or parts of acts in conflict herewith.

Have examined same and find it properly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker called Mr. Wolf to the chair.

#### SECOND READING OF HOUSE BILLS

House Bill No. 260. A Bill for an Act to repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of

1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Was read the second time.

Mr. Byrne 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, 66; nays, 42; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Goodlaxon	Nelson, Cass
Anderson	Graham	O'Brien
Anfinson	Greiser	Olson, Adams
Beaton	Hagen	Olson, Bowman
Beggs	Haines	Peterson, Bot'neau
Benno	Hofstrand	Peterson, Richland
Bieloh	Holthusen	Pewe
Billigmeier	Ireland	Ritter
Bjornson	Jensen	Sand
Black	Johnson	Saumur
Brusseau	Jones	Savre
Byrne	Just	Schauss
Day	Kapaun	Schimke
Dullea	Krank	Seibel
Fitch	Kraus	Semerad
Frazier	LaBerge	Sticka
Freitag	McInnes	Stray
Frey	McIntee	Treffry
Frosaker	Morland	Tweten
Gessner	Morris	Urschel
Gilberg	Myers	Wolf
Godwin	Niewoehner	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Langford	Sandness
Beasley	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Livingston	Shurr, Bottineau
Burgum	Magill	Solberg
Caddell	Nelson, Sargent	Symington
Dittmer	Norheim	Thompson
Holm	Odegard	Thoreson
Holmquist	Oglesby	Trydahl
Hultstrand	Olson, McLean	Tuff
Huseby	Olson, Sargent	Twichell
Jury	Page	Wendland
Knudson, Steele	Peterson, Renville	White
Knutson, LaMoure	Rait	Williams

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Obach	Wick
Dalzell	Traynor	

So the bill passed and the title was agreed to.

Mr. Schauss moved that the vote by which House Bill No. 260 was passed be reconsidered and the motion to reconsider be laid on the table.

A division was called for and the motion prevailed.

## EXPLANATION OF VOTES

Mr. Ireland: I am voting "aye" on this bill for the reason that it is impossible to get around the daily papers. I believe it is unfair to the small country papers, and inasmuch as the people voted to legalize liquor, I believe they will get enough advertising on it.

Mr. Knutson of LaMoure: I vote "no" on this because I don't want our junior United States Senator to have to help advertise whiskey as he does cigarettes.

Mr. Myers: I am opposed to the advertisement of liquor, but as long as the other papers that come into the state are allowed to advertise it, it is unfair to the smaller papers, and I vote "aye" on the bill. I would like to see them all stop advertising, but under the circumstances I vote "aye."

Mr. Sand: I vote "aye" on this bill, for advertising can be done in two ways—one way by advertising in papers, and the other by prohibiting certain things being done.

Mr. White: Being a Justice of the Peace I know that the drunkenness in my community is all the advertisement that the liquor business needs. I vote "no."

Mr. Williams: I don't believe in advertising liquor. It seems to me that it would be just as sensible to advertise legalized murder.

Mr. Dahl: Inasmuch as the daily newspapers are all allowed to advertise liquor, I think that the weeklies should have the same right. The magazines and daily papers come into about 75% of the homes in North Dakota, and they have the right of way over the weeklies that really make a community worthwhile living in. For that reason I vote "aye" on this bill.

Mr. Semerad: I vote "aye" because I believe in justice to all and special privilege to none.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption

and After Foreclosure or Execution Sales and Purchasers at Such Sales.

Was read the second time.

Mr. Schauss moved that further consideration of House Bill No. 138 be indefinitely postponed.

The question being on Mr. Schauss' motion, a roll call was demanded and granted.

### ROLL CALL

The question being on Mr. Schauss' motion, the roll was called and there were ayes, 68; nays, 33; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Hultstrand	Ritter
Anderson	Huseby	Sand
Anfinson	Ireland	Savre
Beggs	Jensen	Schauss
Benno	Jones	Schimke
Bieloh	Knutson, LaMoure	Seibel
Billigmeier	Krank	Semerad
Bjornson	Levin	Shurr, Bottineau
Brown	Livingston	Solberg
Brusseau	McIntee	Sticka
Caddell	Morland	Stray
Dalzell	Myers	Thompson
Dittmer	Nelson, Sargent	Thoreson
Frazier	Obach	Treffry
Freitag	Odegard	Tuff
Frey	Oglesby	Tweten
Godwin	Olson, Adams	Twichell
Goodlaxon	Olson, Bowman	Urschel
Greiser	Olson, McLean	Williams
Hagen	Page	Wolf
Haines	Peterson, Bot'neau	Mr. Speaker
Hofstrand	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Norheim
Black	Jury	O'Brien
Blair	Just	Olson, Sargent
Burgum	Knudson, Steele	Peterson, Renville
Byrne	Kraus	Peterson, Richland
Day	LaBerge	Sandness
Dullea	Langford	Saumur
Gilberg	Leum	Severson
Graham	McInnes	Shure, Cass
Holm	Magill	Trydahl
Holthusen	Morris	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Gessner	Symington
Biberdorf	Kapaun	Traynor
Fitch	Niewoehner	White
Frosaker	Nelson, Cass	Wick

So the motion prevailed and House Bill No. 138 was indefinitely postponed.

Mr. Schauss moved that the vote by which House Bill No. 138 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or other Lien, Without Process of Court.

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, 52; nays, 46; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Page
Anderson	Jensen	Peterson, Richland
Anfinson	Knudson, Steele	Pewe
Beaton	Knutson, LaMoure	Rait
Beggs	Langford	Savre
Bieloh	Levin	Seibel
Billigmeier	Livingston	Semerad
Brown	McIntee	Shure, Cass
Brusseau	Magill	Shurr, Bottineau
Caddell	Morland	Sticka
Dittmer	Myers	Stray
Gilberg	Niewoehner	Thoreson
Goodlaxon	Nelson, Sargent	Traynor
Greiser	Obach	Treffry
Hagen	Olson, Adams	Tweten
Haines	Olson, Bowman	Williams
Hofstrand	Olson, Sargent	Wolf
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Oglesby
Beasley	Hultstrand	Olson, McLean
Benno	Huseby	Peterson, Renville
Bjornson	Jones	Ritter

Messrs.	Messrs.	Messrs.
Black	Jury	Sand
Blair	Just	Sandness
Byrne	Kapaun	Saumur
Dalzell	Krank	Schimke
Day	LaBerge	Severson
Dullea	Leum	Symington
Freitag	McInnes	Thompson
Frey	Morris	Trydahl
Frosaker	Norheim	Twichell
Godwin	O'Brien	Urschel
Graham	Odegard	Wendland
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Solberg
Burgum	Kraus	Tuff
Fitch	Nelson, Cass	White
Frazier	Peterson, Bot'neau	Wick
Gessner	Schauss	Mr. Speaker

So the bill was lost.

Mr. Kapaun moved that the vote by which House Bill No. 172 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 13. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening or Establishment of Stores in This State, Prescribing the License and Filing Fees to Be Paid Therefor, and the Disposition Thereof, and the Powers and Duties of the State Tax Commissioner in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,  
THOMAS McDONALD,  
Secretary.

Mr. Burgum moved that the House recess until 4:00 P. M., which motion prevailed and the House recessed.

AFTER RECESS

The House convened at 4:00 P. M., pursuant to recess, Mr. Wolf presiding:

## SECOND READING OF HOUSE BILLS

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

Was read the second time.

Mr. Jensen moved the previous question, 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, 80; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Rait
Beggs	Hultstrand	Schauss
Brusseau	LaBerge	Schimke
Day	McIntee	Seibel
Frazier	Myers	Shurr, Bottineau
Freitag	Obach	Stray
Godwin	O'Brien	Thoreson
Hagen	Olson, McLean	Tweten
Holmquist	Peterson, Bot'neau	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Huseby	Page
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Beaton	Johnson	Pewe
Benno	Jones	Ritter
Bieloh	Jury	Sand
Billigmeier	Kapaun	Sandness
Black	Knudson, Steele	Saumur
Blair	Krank	Savre
Brown	Kraus	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Dittmer	McInnes	Symington
Dullea	Magill	Thompson
Fitch	Morland	Traynor
Frey	Morris	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tuff
Gilberg	Nelson, Sargent	Twichell
Goodlaxon	Norheim	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Just	Wick
Bjornson	Knutson, LaMoure	Mr. Speaker

So the bill was lost.

Mr. Trydahl moved that the vote by which House Bill No. 256 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## TWELFTH ORDER OF BUSINESS

### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota.  
February 18, 1937.

Mr. Speaker: I have the honor to inform you that the Senate again requests the return of Senate Concurrent Resolution "J".

Also,

The Senate requests the return of Senate Bill No. 163.

Very respectfully,

THOMAS McDONALD.  
Secretary.

Senate Chamber,  
Bismarck, North Dakota.  
February 18, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 158.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Beggs moved that Senate Concurrent Resolution "J" be returned to the Senate as requested.

Which motion prevailed.

Mr. Page moved that the House also accede to the request of the Senate and return Senate Bill No. 158 and Senate Bill No. 163 to the Senate.

Which motion prevailed.

### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. President: I have the honor to return herewith the following bills and resolution:



Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Also,

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

**SENATE CONCURRENT RESOLUTION "J"**

Which the Senate has requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

**SECOND READING OF HOUSE BILLS**

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as

the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election Held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Was read the second time.

Mr. Magill asked the unanimous consent of the House to amend House Bill No. 190 by correcting the spelling of the word "liquor" in line 2 of Section 1 of the original bill.

Which consent was granted.

Mr. Burgum moved that the rules be suspended and that House Bill No. 190 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

Mr. Freitag moved the previous question.

Which motion prevailed.

A call of the House was demanded and granted.

Mr. Schauss moved that further proceedings in connection with the call of the House be dispensed with.

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, 40; nays, 70; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Peterson, Richland
Beasley	Jones	Rait
Beaton	Jury	Sandness

Messrs.	Messrs.	Messrs.
Blair	Knudson, Steele	Severson
Brown	Knutson, LaMoure	Shure, Cass
Burgum	Langford	Shurr, Bottineau
Frazier	Leum	Symington
Holm	Levin	Thompson
Holmquist	Magill	Tuff
Holthusen	Morland	Twichell
Hultstrand	Norheim	Wendland
Huseby	Odegard	White
Ireland	Oglesby	Williams
Jensen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Graham	Page
Anderson	Greiser	Peterson, Bot'neau
Anfinson	Hagen	Peterson, Renville
Beggs	Haines	Pewe
Benno	Hofstrand	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Saumur
Bjornson	Krank	Savre
Black	Kraus	Schauss
Brusseau	LaBerge	Schimke
Byrne	Livingston	Seibel
Caddell	McInnes	Semerad
Dalzell	McIntee	Solberg
Day	Morris	Sticka
Dittmer	Myers	Stray
Dullea	Niewoehner	Thoreson
Fitch	Nelson, Cass	Traynor
Freitag	Obach	Treffry
Frey	O'Brien	Trydahl
Frosaker	Olson, Adams	Tweten
Gessner	Olson, Bowman	Urschel
Gilberg	Olson, McLean	Wolf
Godwin	Olson, Sargent	Mr. Speaker
Goodlaxon		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Nelson, Sargent	Wick

So the bill lost.

Mr. Gilberg moved that the vote by which House Bill No. 190 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Severson: My county voted "aye" on this; therefore I vote "aye."

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project

of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

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, 91; nays, 16; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Bowman
Anderson	Holmquist	Olson, McLean
Anfinson	Holthusen	Olson, Sargent
Beasley	Hultstrand	Peterson, Bot'neau
Benno	Ireland	Peterson, Renville
Bieloh	Jury	Peterson, Richland
Billigmeier	Just	Pewe
Bjornson	Kapaun	Rait
Black	Knudson, Steele	Ritter
Blair	Knutson, LaMoure	Sand
Brown	Krank	Sandness
Brusseau	Kraus	Savre
Burgum	LaBerge	Schimke
Byrne	Langford	Seibel
Caddell	Leum	Semerad
Day	Livingston	Severson
Dittmer	McInnes	Shure, Cass
Dullea	McIntee	Shurr, Bottineau
Fitch	Magill	Solberg
Frazier	Morland	Sticka
Freitag	Morris	Stray
Frey	Myers	Symington
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Cass	Thoreson
Gilberg	Norheim	Traynor
Godwin	Obach	Treffry
Goodlaxon	O'Brien	Tuff
Graham	Odegard	Tweten
Greiser	Oglesby	Urschel
Hagen	Olson, Adams	Wolf
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Trydahl
Beaton	Jones	Twichell
Dalzell	Levin	Wendland
Holm	Page	White
Huseby	Saumur	Williams
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Nelson, Sargent	Wick
Biberdorf	Schauss	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Sand moved that the vote by which House Bill No. 235 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing 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, 79; nays, 27; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Adams
Akland	Hofstrand	Olson, Bowman
Anderson	Holm	Olson, McLean
Anfinson	Holmquist	Page
Beaton	Holthusen	Peterson, Bot'neau
Beggs	Hultstrand	Peterson, Renville
Benno	Huseby	Pewe
Bieloh	Ireland	Rait
Billigmeier	Jensen	Ritter
Ejorson	Jones	Savre
Black	Jury	Schauss
Blair	Just	Schimke
Brown	Kapaun	Seibel
Brusseau	Knutson, LaMoure	Semerad
Byrne	Krank	Shurr, Bottineau
Caddell	LaBerge	Solberg
Dalzell	Levin	Sticka
Day	Livingston	Symington
Dittmer	McIntee	Thoreson
Frazier	Magill	Treffry
Freitag	Myers	Tuff
Frosaker	Niewoehner	Tweten
Godwin	Nelson, Cass	Urschel
Goodlaxon	Obach	White
Graham	O'Brien	Williams
Greiser	Odegard	Wolf
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Langford	Peterson, Richland
Dullea	Leum	Sandness
Fitch	McInnes	Saumur
Frey	Morland	Severson
Gessner	Morris	Shure, Cass
Gilberg	Nelson, Sargent	Traynor
Johnson	Norheim	Trydahl
Knudson, Steele	Oglesby	Twichell
Kraus	Olson, Sargent	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Stray	Wick
Burgum	Thompson	Mr. Speaker
Sand		

So the bill passed and the title was agreed to.

Mr. Akland moved that the vote by which House Bill No. 254 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 137, Session Laws of 1931, Relating to Filling of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

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, 50; nays, 53; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Odegard
Akland	Hagen	Olson, McLean
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beggs	Holthusen	Peterson, Richland
Benno	Just	Pewe
Billigmeier	Knudson, Steele	Rait
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Brusseau	Leum	Seibel
Frazier	Livingston	Semerad
Freitag	McInnes	Shurr, Bottineau
Frosaker	McIntee	Thoreson
Gilberg	Morris	Treffry
Godwin	Myers	Williams
Goodlaxon	Niewoehner	Wolf
Graham	Obach	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jensen	Ritter
Beaton	Johnson	Sand
Bieloh	Jury	Sandness
Blair	Kapaun	Severson
Brown	LaBerge	Shure, Cass
Byrne	Langford	Solberg
Caddell	Levin	Sticka
Dalzell	Magill	Stray
Day	Morland	Symington
Dittmer	Nelson, Cass	Thompson
Dullea	Nelson, Sargent	Trydahl
Frey	Norheim	Tuff
Gessner	O'Brien	Tweten
Haines	Oglesby	Twichell
Hofstrand	Olson, Adams	Urschel
Hultstrand	Olson, Bowman	Wendland
Huseby	Olson, Sargent	White
Ireland	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kraus	Traynor
Burgum	Saumur	Wick
Fitch	Schimke	Mr. Speaker
Jones		

So the bill was lost.

Mr. Johnson moved that the vote by which House Bill No. 91 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: I think there are too many inoperative laws on the statute books now. I vote "no".

Mr. Godwin moved that the House recess until 8:00 P. M.

Mr. Niewoehner offered as a substitute motion that the House recess until 7:30 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 7:30 P. M., pursuant to recess, Speaker Dahl presiding.

The Speaker called Mr. Wolf to the chair.

#### SECOND READING OF HOUSE BILLS

House Bill No. 288. A Bill for an Act Authorizing Counties to Levy a Tax to Provide Medical, Surgical and Hospital Care for Its Residents, Providing Procedure for Adoption and for Discontinuing, Giving County Commissioners Certain Powers and Placing Certain Restrictions, Authorizing County Commissioners to Foster Maternity Homes and Pro-

vide Hospital Care for Mothers and Expectant Mothers, Establishing Medical and Surgical Fees to Be Paid Attending Physicians, Surgeons, Chiropractors and Osteopaths and Limiting Fees to Be Charged by Such Physicians, Surgeons, Chiropractors and Osteopaths and Hospitals, and Repealing All Acts in Conflict Herewith.

Was read the second time.

Mr. Thompson moved the previous question, which motion was lost.

Mr. Gilberg moved the previous question, which motion prevailed.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 63; absent and not voting, 9.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Sand
Anderson	Ireland	Savre
Anfinson	Knutson, LaMoure	Schauss
Beggs	Livingston	Seibel
Billigmeier	McIntee	Shurr, Bottineau
Bjornson	Myers	Solberg
Brusseau	Odegard	Sticka
Caddell	Olson, Adams	Thoreson
Freitag	Olson, Bowman	Treffry
Godwin	Olson, McLean	Urschel
Greiser	Peterson, Bot'neau	Williams
Hagen	Pewe	Wolf
Haines	Rait	Mr. Speaker
Holmquist	Ritter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Obach
Beasley	Huseby	O'Brien
Beaton	Jensen	Oglesby
Bieloh	Johnson	Olson, Sargent
Black	Jury	Page
Blair	Just	Peterson, Renville
Brown	Kapaun	Peterson, Richland
Byrne	Knudson, Steele	Sandness
Dalzell	Krank	Saumur
Day	LaBerge	Semerad
Dittmer	Langford	Severson
Dullea	Leum	Shure, Cass
Fitch	Levin	Stray
Frey	McInnes	Symington
Frosaker	Magill	Thompson
Gessner	Morland	Traynor
Gilberg	Morris	Trydahl
Goodlaxon	Niewoehner	Tweten
Graham	Nelson, Cass	Twichell



Messrs.	Messrs.	Messrs.
Hofstrand	Nelson, Sargent	Wendland
Holm	Norheim	White

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Frazier	Schimke
Biberdorf	Jones	Tuff
Burgum	Kraus	Wick

So the bill was lost.

Mr. Blair moved that the vote by which House Bill No. 288 was lost be reconsidered and the motion to reconsider be laid on the table.

A division was called for, and the motion prevailed.

Mr. Solberg. I feel this way. Under this bill we haven't got anything to lose, and until some of us fellows forget about our rugged individualism and begin to experiment to change this social system, we'll never get anywhere. I vote "aye."

Mr. Thoreson: I vote "aye" on this bill because I believe in the future all doctor and hospitalization bills will have to be paid by the state and county. I vote "aye."

Mr. Schauss: I voted "aye" on this bill because in the three sessions of the legislature I have attended, and the approximately twelve hundred bills, there is no bill I have ever voted on that would do more good to the fellow back home than this one.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; 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, 60; nays, 45; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Hultstrand	Ritter
Anderson	Jensen	Sand
Anfinson	Just	Sandness
Beaton	Knutson, LaMoure	Savre
Beggs	Krank	Schauss
Bieloh	Levin	Schimke
Billigmeier	Livingston	Seibel
Bjornson	McIntee	Semerad
Brown	Morland	Shurr, Bottineau
Brusseau	Myers	Sticka
Caddell	Niewoehner	Stray

Messrs.	Messrs.	Messrs.
Dittmer	Nelson, Cass	Thoreson
Freitag	Obach	Treffry
Goodlaxon	Odegard	Tweten
Godwin	Olson, Adams	Urschel
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Williams
Haines	Peterson, Bot'neau	Wolff
Hofstrand	Pewe	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Oglesby
Benno	Ireland	Olson, Sargent
Black	Johnson	Page
Blair	Jury	Peterson, Renville
Byrne	Kapaun	Peterson, Richland
Dalzell	Knudson, Steele	Saumur
Day	LaBerge	Severson
Dullea	Langford	Shure, Cass
Fitch	Leum	Solberg
Frey	McInnes	Symington
Frosaker	Magill	Thompson
Gessner	Morris	Traynor
Gilberg	Nelson, Sargent	Trydahl
Graham	Norheim	Twichell
Holm	O'Brien	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Huseby	Tuff
Burgum	Jones	Wick
Frazier	Kraus	

So the bill passed and the title was agreed to.

Mr. Seibel moved that the vote by which House Bill No. 299 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Niewoehner: I am not very much interested in these political parties, but if they have that many signatures I believe that people should be allowed to have as many parties as they like. I vote "aye."

#### SEVENTH ORDER OF BUSINESS

Mr. Dalzell moved that action on House Bill No. 307 be deferred one legislative day.

Which motion lost.

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of the Session Laws of North Dakota for 1931: Entitled—"An Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain

Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers, and Making an Appropriation 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, 63; nays, 41; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Akland	Holm	Pewe
Anderson	Holmquist	Rait
Anfinson	Huseby	Ritter
Beggs	Ireland	Sand
Benno	Jury	Savre
Bieloh	Just	Schauss
Billigmeier	Knudson, Steele	Schimke
Bjornson	Knutson, LaMoure	Seibel
Brusseau	Krank	Semerad
Burgum	Langford	Shure, Cass
Byrne	Leum	Solberg
Caddell	Livingston	Sticka
Day	McIntee	Stray
Freitag	Myers	Thoreson
Frosaker	Niewoehner	Treffry
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Urschel
Greiser	Odegard	White
Hagen	Olson, Adams	Williams
Haines	Olson, McLean	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Page
Beaton	Kapaun	Peterson, Renville
Black	LaBerge	Peterson, Richland
Blair	Levin	Sandness
Brown	McInnes	Saumur
Dalzell	Magill	Severson
Dittmer	Morland	Shurr, Bottineau
Dullea	Morris	Symington
Fitch	Nelson, Cass	Thompson
Gessner	Nelson, Sargent	Traynor
Gilberg	Norheim	Trydahl
Graham	Oglesby	Twichell
Holthusen	Olson, Bowman	Wendland
Hultstrand	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jensen	Tuff
Frazier	Jones	Wick
Frey	Kraus	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Godwin moved that the vote by which House Bill No. 307 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Twichell: I vote "no" for the purpose of reconsideration.

Mr. Dalzell: I vote "no" on this bill, not particularly that I am opposed to the bill, but due to the fact that the potato growers of this state have not had an opportunity to give their views on this; further, that the potato growers associations in this state have not sponsored the bill. I vote "no."

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres. Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

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, 93; nays, 2; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Olson, McLean
Beasley	Ireland	Olson, Sargent
Beaton	Jensen	Page
Benno	Johnson	Peterson, Bot'neau
Bieloh	Jury	Peterson, Renville
Bjornson	Just	Peterson, Richland
Billigmeier	Kapaun	Pewe
Black	Knudson, Steele	Rait
Blair	Knutson, LaMoure	Sandness
Brown	Krank	Saumur
Burgum	LaBerge	Savre
Byrne	Langford	Schauss
Caddell	Leum	Semerad
Dalzell	Levin	Severson
Day	Livingston	Shure, Cass
Dittmer	McInnes	Shurr, Bottineau
Dullea	McIntee	Solberg
Fitch	Magill	Sticka
Freitag	Morland	Stray
Frey	Morris	Symington
Frosaker	Myers	Thompson
Gessner	Niewoehner	Thoreson
Godwin	Nelson, Cass	Traynor
Goodlaxon	Nelson, Sargent	Treffry

Messrs.	Messrs.	Messrs.
Graham	Norheim	Trydahl
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Odegard	Wendland
Holm	Oglesby	White
Holmquist	Olson, Adams	Williams
Holthusen	Olson, Bowman	Wolf

Those voting in the negative were:

Messrs.	Messrs.
Adam	Brusseau

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Schimke
Anfinson	Hultstrand	Seibel
Beggs	Jones	Tuff
Biberdorf	Kraus	Twichell
Frazier	Ritter	Wick
Gilberg	Sand	Mr. Speaker

So the bill passed and the title was agreed to.

House Bill No. 330. A Bill for an Act Providing for Licensing of Employment Agencies; Fixing License Fee: Making It Unlawful to Conduct an Employment Agency Until Duly Licensed and Providing Penalties.

Was read the second time.

Mr. Schimke 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, 49; nays, 49; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Renville
Akland	Just	Pewe
Anderson	Knutson, LaMoure	Rait
Benno	Krank	Sand
Bieloh	Livingston	Schauss
Billigmeier	McIntee	Schimke
Bjornson	Morland	Semerad
Blair	Myers	Solberg
Brusseau	Niewoehner	Sticka
Byrne	Obach	Stray
Caddell	Odegard	Thoreson
Frosaker	Olson, Adams	Treffry
Godwin	Olson, Bowman	Trydahl
Greiser	Olson, McLean	Tweten

Messrs.	Messrs.	Messrs.
Hagen	Page	Williams
Haines	Peterson, Bot'neau	Wolf
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Olson, Sargent
Beaton	Huseby	Peterson, Richland
Black	Johnson	Ritter
Brown	Jury	Sandness
Burgum	Knudson, Steele	Savre
Dalzell	Langford	Severson
Day	Leum	Shure, Cass
Dittmer	Levin	Shurr, Bottineau
Dullea	McInnes	Symington
Fitch	Magill	Thompson
Freitag	Morris	Traynor
Frey	Nelson, Cass	Twichell
Gessner	Nelson, Sargent	Urschel
Gilberg	Norheim	Wendland
Goodlaxon	O'Brien	White
Graham	Oglesby	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Hultstrand	LaBerge
Beggs	Jensen	Saumur
Biberdorf	Jones	Seibel
Frazier	Kapaun	Tuff
Hofstrand	Kraus	Wick

So the bill was lost.

Mr. Twichell moved that the vote by which House Bill No. 330 was lost be reconsidered and the motion to reconsider be laid on the table.

A divison was called for, and the motion prevailed.

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such 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, 86; nays, 8; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Benno	Johnson	Pewe
Bieloh	Jury	Rait
Billigmeier	Just	Sand
Bjornson	Kapaun	Sandness
Black	Knudson, Steele	Saumur
Blair	Knutson, LaMoure	Savre
Brown	Krank	Schauss
Byrne	LaBerge	Schimke
Dalzell	Langford	Severson
Day	Leum	Shure, Cass
Dittmer	Levin	Shurr, Bottineau
Fitch	Livingston	Solberg
Freitag	McIntee	Stray
Frey	Magill	Symington
Frosaker	Morland	Thompson
Gessner	Morris	Thoreson
Gilberg	Myers	Traynor
Godwin	Niewoehner	Treffry
Goodlaxon	Nelson, Cass	Trydahl
Graham	Nelson, Sargent	Tweten
Greiser	Norheim	Twichell
Hagen	O'Brien	Urschel
Haines	Oglesby	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Anfinson	Semerad
Akland	Brusseau	Sticka
Anderson	Obach	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Jensen	Olson, McLean
Biberdorf	Jones	Ritter
Burgum	Kraus	Seibel
Caddell	McInnes	Tuff
Dullea	Odegard	Wick
Frazier	Olson, Adams	Williams
Hofstrand		

So the bill passed and the title was agreed to.

Mr. Fitch moved that the vote by which House Bill No. 332 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Brusseau: I am entirely opposed to legislation for the city of Fargo. I vote "no."

Mr. Knutson of LaMoure: I vote "aye" because I believe this is a very good bill. I wouldn't have thought Mr. Twichell would introduce such a progressive bill.

Mr. Dahl: I vote "aye" on this bill because it is practically patterned after House Bill No. 288 which was just killed. That was a good bill, and I think this is a good bill.

The Speaker resumed the chair.

### SECOND READING OF SENATE BILLS

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of 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, 90; nays, 3; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Oglesby
Akland	Hofstrand	Olson, Bowman
Anderson	Holm	Olson, Sargent
Anfinson	Holmquist	Page
Beaton	Holthusen	Peterson, Bot'neau
Beggs	Hultstrand	Peterson, Renville
Benno	Huseby	Pewe
Bieloh	Ireland	Ritter
Billigmeier	Johnson	Sand
Bjornson	Jury	Sandness
Black	Just	Saumur
Blair	Kapaun	Savre
Brown	Knudson, Steele	Schauss
Brusseau	Knutson, LaMoure	Seibel
Byrne	LaBerge	Severson
Dalzell	Langford	Shure, Cass
Day	Leum	Shurr, Bottineau
Dittmer	Levin	Solberg
Dullea	Livingston	Sticka
Fitch	McIntee	Symington
Freitag	Magill	Thompson
Frey	Morland	Traynor
Frosaker	Morris	Treffry
Gessner	Myers	Trydahl
Gilberg	Niewoehner	Twichell
Godwin	Nelson, Cass	Urschel
Goodlaxon	Nelson, Sargent	Wendland
Graham	Norheim	White
Greiser	Obach	Wolf
Hagen	O'Brien	Mr. Speaker



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Semerad	Thoreson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kraus	Schimke
Burgum	McInnes	Stray
Caddell	Odegard	Tuff
Frazier	Olson, Adams	Tweten
Jensen	Olson, McLean	Wick
Jones	Peterson, Richland	Williams
Krank	Rait	

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which Senate Bill No. 101 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 Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

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, 81; nays, 9; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Sargent
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Beasley	Holthusen	Peterson, Renville
Beaton	Hultstrand	Pewe
Benno	Huseby	Ritter
Bieloh	Ireland	Sand
Billigmeier	Johnson	Sandness
Black	Jury	Saumur
Blair	Just	Savre
Brown	Kapaun	Seibel
Brusseau	Knudson, Steele	Semerad
Byrne	Knutson, LaMoure	Severson
Caddell	Krank	Shure, Cass
Dalzell	LaBerge	Shurr, Bottineau
Day	Langford	Solberg
Dittmer	Leum	Stray
Dullea	Livingston	Symington
Fitch	McIntee	Thompson
Freitag	Magill	Thoreson
Frey	Morland	Treffry

Messrs.	Messrs.	Messrs.
Frosaker	Myers	Trydahl
Gessner	Nelson, Cass	Urschel
Gilberg	Nelson, Sargent	Wendland
Godwin	Obach	White
Graham	Oglesby	Wolf
Greiser	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anfinson	Goodlaxon	Niewoehner
Beggs	Holmquist	Norheim
Bjornson	Levin	O'Brien

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Morris	Sticka
Burgum	Odegard	Traynor
Frazier	Olson, Adams	Tuff
Haines	Olson, McLean	Tweten
Jensen	Peterson, Richland	Twichell
Jones	Rait	Wick
Kraus	Schauss	Williams
McInnes	Schimke	

So the bill passed and the title was agreed to.

Mr. Symington: I vote "aye" for the purpose of reconsideration.

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, 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, 87; nays, 5; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holthusen	Peterson, Renville
Beasley	Hultstrand	Pewe
Beaton	Huseby	Ritter
Beggs	Johnson	Sand
Benno	Jury	Sandness
Bieloh	Just	Saumur

Messrs.	Messrs.	Messrs.
Billigmeier	Kapaun	Savre
Black	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Seibel
Brown	Krank	Semerad
Brusseau	LaBerge	Severson
Byrne	Langford	Shure, Cass
Dalzell	Leum	Shurr, Bottineau
Day	Levin	Sticka
Dullea	Livingston	Symington
Fitch	McIntee	Thompson
Freitag	Magill	Thoreson
Frey	Morland	Traynor
Frosaker	Myers	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Sargent	Tweten
Godwin	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Greiser	Oglesby	White
Hagen	Olson, Bowman	Wolf
Haines	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Solberg
Bjornson	Ireland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kraus	Peterson, Richland
Burgum	McInnes	Rait
Caddell	Morris	Schimke
Dittmer	Nelson, Cass	Stray
Frazier	Odegard	Tuff
Jensen	Olson, Adams	Wick
Jones	Olson, McLean	Williams

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Page 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.

Senate Bill No. 77. 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, the roll

was called and there were ayes, 71; nays, 16; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Page
Anderson	Hagen	Peterson, Bot'neau
Anfinson	Haines	Peterson, Renville
Beasley	Hofstrand	Pewe
Beaton	Holm	Ritter
Beggs	Holmquist	Sand
Benno	Holthusen	Sandness
Billigmeier	Hultstrand	Saumur
Bjornson	Huseby	Schauss
Black	Ireland	Shurr, Bottineau
Brown	Just	Solberg
Brusseau	Kapaun	Sticka
Byrne	Krank	Thompson
Dalzell	LaBerge	Thoreson
Day	Langford	Traynor
Dullea	Leum	Treffry
Fitch	Levin	Trydahl
Freitag	Livingston	Tweten
Frey	Magill	Urschel
Frosaker	McIntee	Wendland
Gessner	Myers	White
Gilberg	Niewoehner	Wolf
Godwin	Norheim	Mr. Speaker
Goodlaxon	Obach	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Morland	Seibel
Blair	Oglesby	Semerad
Johnson	Olson, Bowman	Shure, Cass
Jury	Olson, Sargent	Symington
Knudson, Steele	Savre	Twichell
Knutson, LaMoure		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Kraus	Peterson, Richland
Biberdorf	McInnes	Rait
Burgum	Morris	Schimke
Caddell	Nelson, Cass	Severson
Dittmer	Nelson, Sargent	Stray
Frazier	O'Brien	Tuff
Graham	Odegard	Wick
Jensen	Olson, Adams	Williams
Jones	Olson, McLean	

So the bill passed and the title was agreed to.

Mr. Schauss moved that the vote by which Senate Bill No. 77 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, 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, 68, nays, 24; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, Sargent
Anderson	Hultstrand	Page
Anfinson	Huseby	Peterson, Bot'neau
Beasley	Ireland	Peterson, Renville
Beaton	Jury	Ritter
Beggs	Kapaun	Sand
Benno	Knudson, Steele	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Schauss
Black	LaBerge	Severson
Blair	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Day	Levin	Solberg
Dullea	Livingston	Sticka
Fitch	McIntee	Thompson
Frey	Magill	Thoreson
Frosaker	Morland	Traynor
Gessner	Myers	Trydahl
Gilberg	Nelson, Sargent	Urschel
Godwin	Norheim	White
Graham	Obach	Wolf
Hagen	Oglesby	Mr. Speaker
Holm	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Haines	Savre
Bieloh	Hofstrand	Seibel
Brown	Holmquist	Semerad
Brusseau	Johnson	Symington
Dalzell	Just	Treffry
Freitag	Knutson, LaMoure	Tweten
Goodlaxon	Niewoehner	Twichell
Greiser	Pewe	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	McInnes	Peterson, Richland
Burgum	Morris	Rait
Caddell	Nelson, Cass	Schimke
Dittmer	O'Brien	Stray
Frazier	Odegard	Tuff

Messrs.	Messrs.	Messrs.
Jensen	Olson, Adams	Wick
Jones	Olson, McLean	Williams

So the bill passed and the title was agreed to.

Mr. Freitag: I am opposed to the increase of salary. I vote "no".

Mr. Knutson of LaMoure: I vote "no" on this. I am opposed to the salary increase, and also the raise over two years ago.

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, 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, 61; nays, 27; absent and not voting, 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Anderson	Johnson	Pewe
Anfinson	Kapaun	Ritter
Beasley	Knudson, Steele	Sand
Beaton	Krank	Sandness
Benno	LaBerge	Saumur
Billigmeier	Langford	Schauss
Black	Leum	Severson
Blair	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Day	McIntee	Sticka
Dullea	Magill	Thompson
Fitch	Nelson, Sargent	Thoreson
Frey	Norheim	Traynor
Frosaker	Obach	Treffry
Gessner	Oglesby	Trydahl
Gilberg	Olson, Bowman	Twichell
Godwin	Olson, Sargent	Urschel
Haines	Page	White
Holm	Peterson, Bot'neau	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Greiser	Myers
Beggs	Hagen	Niewoehner
Bieloh	Hofstrand	Savre
Bjornson	Holmquist	Seibel
Brown	Ireland	Semerad
Brusseau	Jury	Solberg

Messrs.	Messrs.	Messrs.
Dalzell	Just	Symington
Freitag	Knutson, LaMoure	Tweten
Goodlaxon	Morland	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kraus	Peterson, Richland
Burgum	McInnes	Rait
Caddell	Morris	Schimke
Dittmer	Nelson, Cass	Stray
Frazier	O'Brien	Tuff
Graham	Odegard	Wendland
Huseby	Olson, Adams	Wick
Jensen	Olson, McLean	Williams
Jones		

So the bill passed and the title was agreed to.

Mr. Johnson moved that the vote by which Senate Bill No. 56 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Freitag: I vote "no" on account of the salary increase.

Mr. Holmquist: I vote "no" for the reason that I can't see why they should appropriate sixteen thousand dollars more this year than two years ago.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

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, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Page
Akland	Hofstrand	Peterson, Bot'neau
Anderson	Holm	Peterson, Renville
Anfinson	Holthusen	Pewe
Beasley	Hultstrand	Ritter
Beaton	Huseby	Sand
Beggs	Ireland	Sandness
Benno	Johnson	Saumur
Bieloh	Jury	Savre
Billigmeier	Just	Schimke
Bjornson	Kapaun	Seibel
Black	Knudson, Steele	Semerad

Messrs.	Messrs.	Messrs.
Blair	Knutson, LaMoure	Severson
Brown	Krank	Shure, Cass
Brusseau	LaBerge	Shurr, Bottineau
Byrne	Langford	Solberg
Dalzell	Leum	Sticka
Day	Levin	Symington
Dullea	Livingston	Thompson
Fitch	McIntee	Thoreson
Freitag	Magill	Treffry
Frey	Morland	Trydahl
Frosaker	Myers	Tweten
Gessner	Niewoehner	Twichell
Gilberg	Nelson, Sargent	Urschel
Godwin	Norheim	Wendland
Goodlaxon	Obach	White
Graham	Oglesby	Wolf
Greiser	Olson, Bowman	Mr. Speaker
Hagen	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kraus	Peterson, Richland
Burgum	McInnes	Rait
Caddell	Morris	Schauss
Dittmer	Nelson, Cass	Stray
Frazier	O'Brien	Traynor
Holmquist	Odegard	Tuff
Jensen	Olson, Adams	Wick
Jones	Olson, McLean	Williams

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Sand moved that the vote by which Senate Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Bruno Link, Sawyer; Carl Balck, Sawyer; Jacob Schuler, Sawyer; Mrs. J. Schuler, Sawyer; Helen Anderson, Charlson; M. S. Stenehjem, Arnegard; Mrs. Oscar Hagan, Watford City; Mrs. M. S. Stenehjem, Arnegard; Noel Solum, Jamestown; Dr. C. A. Henderson, Jamestown; Emil Dschaak, Zap; W. A. Lorenz, Zap; Jacob Dschaak, Zap; Jacob Mohl, Golden Valley; Simon Sasse, Golden Valley; J. F. Link, Golden Valley; Christ Krein, Golden Valley; Bernhard Sasse, Golden Valley; Otis Nelson, Jr., Mapleton; M. D. Butler, Grand Forks; Mary J. Ness, Grand Forks; J. M. Severen, Jamestown; Ellis Lundstrom, Kulm; Judge Grimson, Pierce; Bert Sorenson, Buchanan; Joe Zool, Jamestown; Kay Joan Fitch, Fargo; Mrs. K. A. Fitch, Fargo; Mary Johnson, Dawson; J. L. DeNault, Jamestown; C. A. Pick-



ering, Sanish; John Schick, Denhoff; John Schmidt, Martin; John Docktor, Martin; Edward Frank, Denhoff; Thomas Nielson, Sanish; Margaret Morris, Jamestown; Jane Morris, Jamestown; E. C. Hilborn, Valley City; Earl Foulks, Valley City.

Senior Class of Velva: L. F. Rice, Lois Wood, Evelyn Wasson, Borgille Moen, Helen Rude, Florence Skarsted, Zona Skarison, Gladys Jones, Marjory Aamot, Lisle Guernsey, John McDonnell, Roy Nurnberger, Ruth Violet, Mary Kremer, Elda Colby, Marie Looman, Thelma Gjellstad, Bernard Robinson, Norman Reishus, Arthur Kittleson, Henry Aas, Arnold Johnson, Daniel Bostow, Richard Knudson, Raymond Schlecht, Nels Westgaard, Ellen Lee, Merle Wralstad, Julian Sawby.

Mr. Wolf moved that the House recess until 12:30 P. M., tomorrow.

Which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-FIFTH DAY AFTER RECESS AND  
FORTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 19, 1937.

The House convened at 12:30 P. M., pursuant to recess  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Caddell moved that the House resolve itself into a Com-  
mittee of the Whole for the consideration of general orders;  
which motion prevailed.

The Speaker called Mr. Caddell to the chair, and the House  
resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 89. A Bill for an Act Relating to the Ad-  
ministration of Insolvent Banking Institutions; Fixing Duties  
and Compensations of the District Courts in Connection  
Therewith; Requiring Delivery of Assets to The Bank of  
North Dakota; Specifying Its Duties in Connection There-  
with; Providing for Appointment of Attorneys and Providing  
Methods for Disposing of Assets and Closing Receiverships;  
Granting the Right of Appeal; Providing for Appointment of  
Temporary Receivers and Liquidating Committees; and Re-  
pealing All Acts or Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's  
amendments as follows:

Strike out everything after the words "A Bill" and insert  
the following:

"For an Act Relating to the Administration of Insolvent

Banking Institutions; Appointing the Bank of North Dakota as Liquidating Agent Therefor; Requiring Delivery of Assets to the Bank of North Dakota; Specifying Its Deputies in Connection Therewith and Providing Compensation Therefor; Providing for the Appointment of Committees to Re-open and Liquidate Such Banks; and Repealing All Acts or Parts of Acts in Conflict Herewith.

**"Be It Enacted by the Legislative Assembly of the State of North Dakota:**

**"SECTION 1.** The Bank of North Dakota is hereby appointed Liquidating Agent for all insolvent banks within the State, except such as may now or may hereafter be liquidated by the Federal Deposit Insurance Corporation under Chapter 95 of the Session Laws of 1935, and shall administer and wind up the affairs of such insolvent banks under the supervision and jurisdiction of the District Court of the County where such insolvent bank is located.

**"Section 2.** Immediately upon the taking effect of this Act, the General Receiver of insolvent banks of the State appointed under the provisions of Chapter 23B of the Supplement to the 1913 Compiled Laws of North Dakota, and Acts amendatory thereto, shall make a full and complete report covering each insolvent bank under his jurisdiction to the Court Commissioner or Judge of District Court appointed under the provisions of said Act and file a copy of such report with the Bank of North Dakota. If such report is found to meet with the approval of said Commissioner or Judge of District Court acting in lieu of such Commissioner, he shall enter his Order directing the said Receiver to transfer and deliver to the Bank of North Dakota all assets, records and files of such insolvent bank and take its receipt therefor and thereupon the Receiver shall be discharged. A notice shall be mailed to each creditor of said insolvent banks whose address is known. If not known then such notice shall be mailed to such creditor at the City, Town or Village where such bank is located. Such notice shall be accompanied by a true and correct statement of the financial condition of such trust, showing the appraised value of the remaining assets.

**"SECTION 3.** The actual expense of the Bank of North Dakota in administering the affairs of such insolvent banks, including attorneys fees, shall be paid from the assets thereof and the Manager of said Bank of North Dakota shall equitably apportion and charge to each of such banks a proportionate amount of such expense, to be approved as to each of said banks by one of the Judges of the District Court having jurisdiction.

**"SECTION 4.** The assets and property of such insolvent banks may be sold and conveyed in the name of such bank by the Bank of North Dakota, as Liquidating Agent, acting through its Manager, all sales of assets and deeds to real property to be approved by one of the Judges of the District Court having jurisdiction, upon petition made by the Bank of North Dakota.

**"SECTION 5.** It shall be the duty of the Bank of North Dakota as such Liquidating Agent to annually file with the

Clerk of the District Court of the County where such insolvent banking institutions are located, a full and complete statement showing the condition of such bank as to assets and liabilities. The said Bank of North Dakota shall also file with the clerk of said Court a full and complete statement showing receipts and disbursements made upon the completion of the administration of any of said insolvent banks and copies of all such annual and final reports shall be filed with the State Examiner. All such final reports shall be approved by one of the Judges of the said District Court.

“SECTION 6. The Bank of North Dakota shall proceed with all due expedition to administer and wind up the affairs of such insolvent bank and each of such banks shall be fully settled and closed within a period of two years from the date of liquidation thereof is assumed by the Bank of North Dakota; provided, however, upon the petition of the Manager of said Bank such period may be extended by one of the Judges of the District Court having jurisdiction of said bank for such further period as he may determine.

“SECTION 7. In connection with all banking institutions to become insolvent hereafter, except as hereinbefore provided, the Bank of North Dakota shall become Liquidating Agent thereof under the terms of this Act; provided, however, that as to banking institutions that are now or may hereafter become insolvent whenever depositors representing fifty-one per cent of the deposits, exclusive of public funds covered by indemnity bond or other valuable security other than by Federal Deposit Insurance Corporation and exclusive of depositors of less than twenty-five dollars each, shall present a petition to the State Examiner setting forth a plan of reorganization or of liquidation of said bank, which has had the approval of fifty-one per cent of such depositors as described herein, and said petition is accompanied by such data and information as shall be required by said State Examiner; the said Examiner shall approve said application, and shall then request one of the Judges of the District Court having jurisdiction, upon such notice as such Judge may require to enter his order approving or rejecting such plan. If approved, the Order shall direct the Bank of North Dakota to turn over and surrender to such Committee the assets, records and files of said Bank, and thereupon the Liquidating Agent shall be discharged. The Committee named in said petition shall then proceed to reopen or liquidate such bank under the supervision of the District Court.

“SECTION 8. In the event no provision is made in this Act with reference to any matters relating to procedure touching the powers of the Court or the duty of the Bank of North Dakota, as Liquidating Agent, or committees named in connection with the matters herein referred to, the general laws of the State of North Dakota, including the right of appeal, shall apply.

“SECTION 9. All Acts or parts of Acts in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall be construed as repealing sub-division (w), Section 51, of Chapter 96, of the Session Laws of 1931,

relating to the custody of records and assets, nor Chapter 95 of the Session Laws of 1935."

And when so amended recommend that the same do pass.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill, page 2, Section 5, line 6, which is page 3, line 36 on the printed bill, strike out the semicolon after the word "highways," strike out the balance of that line, also line 37, line 38, line 39, line 40 and line 41 up to and including the word "county."

And the further amendment:

On page 3, line 36, of the printed bill, insert a period after the word "highways."

And when so amended recommend the same do pass.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 13, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

And recommend the adoption of the Standing Committee's amendments as follows:

Section 1, line 9 of the printed bill, after the word "Article" strike out the rest of the line and all of line 10 and the figures "1931" at the beginning of line 11, page 2.

Page 2, line 11, after the word "misdemeanor" and before the comma (,) insert the following: "for the first offense."

Page 2, line 14, strike out the words "one year" and insert in lieu thereof the words "thirty days."

Page 2, line 15, strike out the period after the word "Court" and insert the following: "and hereafter for the second offense shall be deemed guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars, or by imprisonment in the county jail not exceeding one year, or both, at the discretion of the court."

Page 2, line 21, strike out the words "or who" at the end of the line.

Page 2, line 22, strike out all of line 22 except the words "or who" at the end of the line.

Page 2, line 24, after the word "name," strike out all of the rest of the line and all of line 25 up to the word "shall."

And when so amended recommend that the same do pass.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments or Installments of Special Assessments, Relating to the Bidding in of Same When no Bidders at Sale, Relating to Damages to Certificate Holders When Statutory Proceedings Not Strictly Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and for the Repeal of Inconsistent Acts, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

By striking out everything after the words "A BILL" on page 1 of the printed bill and by substituting the following in lieu of that part of the bill stricken out:

"An Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of this Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

"Be It Enacted By the Legislative Assembly of the State of North Dakota:

"Section 1. That Section 3733 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913 be and the same is hereby amended and re-enacted to read as follows:

"Section 3733. DELINQUENT SPECIAL ASSESSMENT TAXES, SALE FOR.) Real property shall be sold to enforce collection of special assessments, or installments of special assessments, which have become delinquent, at the same time and in the same manner as for general taxes. The sale shall be made by the same officer and upon like notice and subject to the same provision in relation to redemption and the same record thereof shall be kept by the officer making the sale as in the case of sale of real property for delinquent general taxes. If any real property is subject to sale at the same time for delinquent general taxes and also for delinquent special assessments, or installments thereof, they shall be advertised and sold together in one sum and one certificate shall be issued therefore. In case such real estate is sold for both delinquent general taxes and delinquent special assessments, or installments of special assessments, and there shall be no bidder therefor, the county

auditor shall strike off such parcel of land to the county and make one certificate of sale therefor which shall cover both general taxes and special assessments delinquent. In case there is no delinquent general tax against any parcel of real estate and it is sold for special assessments alone, the certificate of tax sale shall contain a statement to the effect that the sale was for special assessments. In case of sale for special assessments only assessed by cities, villages, or any taxing district other than the county, the county auditor shall declare the property sold to the city, village or taxing district which assessed such special assessments in case there are no private bidders, and tax certificate and tax deed shall, in the usual course of procedure, be issued to such city, village or taxing district. The rights of owners of tax sale certificates issued before the enactment of this amendment shall not be affected by its enactment except as provided in Chapter 298 of the 1931 Session Laws.

“SECTION 2. REMEDY OF WARRANT HOLDERS WHEN STATUTORY PROCEEDING NOT FOLLOWED.) The failure of any city, village or other taxing district other than the county, to have had property sold for delinquent special assessments, or installments of special assessments, struck off to it in the absence of private bidders, as was required by Section 3735 of the 1913 Compiled Laws of North Dakota prior to the amendment of such section by Chapter 199 of the Session Laws of 1925, shall not by the courts of this state be construed to constitute negligence on the part of such city, village or other taxing district. In order to obligate such city, village, or other taxing district on any issue of special assessment warrants, on the ground of negligence, the negligence of such city, village or other taxing district must be established and proven as a matter of fact, and in determining such question the county auditor making the sale shall not be held to be the agent of the city, village or other taxing district so as to charge such city, village or other taxing district with responsibility for any failure of such county auditor to perform his statutory duties in connection with such sale.

“SECTION 3. MEASURE OF DAMAGES WHERE NEGLIGENCE OF DISTRICT SHOWN.) If it is shown that any city, village or other taxing district has been guilty of negligence which will amount to a breach of its duty to holders of special assessment warrants, then such city, village or taxing district shall be liable to the holders of such special assessment warrants in damages. Such damages shall be limited to the actual damages sustained by the warrant holder or holders as the direct and proximate result of such negligence. In the event that the damage for negligence is predicated upon any act of the city, village or other taxing district which resulted in the loss of any special assessment lien upon real property, then the measure of damages shall be limited to the value of such property at the time of the trial, upon which the lien was lost, over and above the amount of the general taxes delinquent against such property at the time that the county acquired title thereto. The face amount of the warrants, involved in any action, shall be considered

only as a limitation of the amount which may be recovered on such special assessment warrants in such action.

"SECTION 4. SECTIONS 2 AND 3 OF THIS ACT MADE RETROACTIVE.) Sections 2 and 3 of this Act are declaratory of the legislative intent of Section 3735 of the 1913 Compiled Laws of North Dakota, and are hereby declared to be retroactive, and shall apply to all actions brought involving special assessment warrants heretofore issued and sold under Section 3735 of the 1913 Compiled Laws of North Dakota or any other act as well as to special assessment warrants hereafter issued.

"SECTION 5. VALIDATING SALES OF LANDS FOR SPECIAL ASSESSMENTS HERETOFORE MADE.) All sales of real property for delinquent special assessments or installments thereof, heretofore made by any county auditor under Section 3735 of the 1913 Compiled Laws of North Dakota 3735 of the 1913 Compiled Laws and notwithstanding the fact that the real property subject to sale for delinquent general taxes and delinquent special assessments, or installments thereof, were not sold separately as required by Section 3735 of the 1913 Compiled Laws and notwithstanding that separate certificates were not issued for the delinquent general taxes and the delinquent special assessments or installments thereof.

"SECTION 6. SAVING CLAUSE.) If any provision or any portion of any provision of this Act shall be held invalid, the remaining portions of this Act shall be affected.

"SECTION 7. 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 the further amendment:

Amend the report of the Standing Committee by striking out line 6 of Section 5 to the word "notwithstanding" and insert in lieu thereof the balance of the word Dakota and the following "are hereby declared to be valid sales".

Also in the committee amendments line 14 of Section 3733, change the word "therefore" to read "therefor".

Also in the committee report line 3 of Section 6 after the word "shall", insert the word "not".

And when so amended recommend the same do pass.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Maintenance, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the



Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

And recommended the adoption of the Standing Committee's amendments as follows:

On original bill, page 1, Section 6, line 8, which is on page 2, line 16 on the printed bill, after the word "State", insert the following: "under the provision of the initiated beer measure of 1933 being an act approved September 22, 1933, and acts amendatory thereof,"

And the further amendments:

In Section 1 of the original bill insert the word "Section" before the figure "1".

In Section 6 of the original bill insert the word "Section" before the figure "6".

In the original bill, Section 6, line 9, insert a comma after the word "bottles".

And when so amended recommend the same do pass.

Also,

House Bill No. 280. A Bill for an Act Amending Subdivision U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

And recommend that action be deferred.

Also,

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In the original bill, in line 3 of the title of the bill hyphenate the word "pari-mutuel".

In line 8 of the title of the bill insert the word "and" after the word "hereof".

In line 9 strike out the word "to".

In Section 1 line 9, after the word "positions" insert the word "and".

In Section 5, line 2 after the word "this" strike out the word "all" and insert in lieu thereof the word "act".

In Section 5, line 5, after the word "Dakota" strike out the word "Fair".

In Section 5, line 6, after the word "Association" insert the words "of fairs", and add "period".

In Section 5 line 8, between the words "some" and "also" add the word "shall".

In Section 5 line 9, after the word "fund" strike out the period and add the following: "of the State Treasurer".

In Section 6, line 2, after the word "racing" and before the word "what" insert the word "than".

And the further amendments:

Correct the second amendment of the Standing Committee to read as follows: "In the title of the original bill before the words 'declaring an emergency' insert the word 'and'".

And when so amended recommend the same do pass.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

In the original bill capitalize the words that should be capitalized.

In Section 1, line 3, correct the spelling of the word "bureau."

In Section 2, line 3, after the word "Section," insert the figure "1."

In Section 2, line 5, after the word "jail," insert the word "for."

In Section 2, line 6, change the word "no" to "not."

In Section 3, line 2, insert an "apostrophe s" in the word "state's."

And the further amendments:

Correct the committee report by striking out the first amendment.

And when so amended recommend the same do pass.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to be Expended in Providing Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Care for Physically Handicapped or Crippled Children and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed bill, page 1, in lines 3 and 4 of the title strike out entirely the words "and in Providing Care for Physically Handicapped or Crippled Children."

Page 1, Section 1, line 2, strike out the word "Senate" and insert in lieu thereof the word "House."

Page 1, Section 1, line 3, insert the figures "199" in blank line.

Page 1, Section 1, line 4, strike out the figures "\$2,600,000" and insert in lieu thereof the figures "\$2,550,000."

Page 1, Section 1, line 7, after the words "welfare services," strike out entirely the words "and services to crippled children."

Page 2, Section 2, line 4, strike out entirely the words "and services to crippled children."

Page 2, Section 3, lines 5 and 6, strike out the words "Services to Crippled Children" and also strike out the "comma."

And when so amended recommend the same do pass.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Coun-

ties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

And recommend the action be deferred.

JAMES CADDELL,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Benno moved that the vote by which Senate Bill No. 101 was passed be reconsidered.

Which motion prevailed.

Mr. Niewoehner moved that the vote by which House Bill No. 302 was indefinitely postponed be reconsidered.

Which motion was lost.

Mr. Seibel moved that the absent members be excused.

Which motion prevailed.

Mr. Seibel moved that the House adjourn, which motion prevailed and the House adjourned.

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#### FORTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 19, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. R. E. Smith of Bismarck.

The roll was called and all members were present except Representatives Biberdorf, Jones, Kapaun, Norheim, Symington and Wick.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: 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 recommend that the same be corrected as follows:

On page 1063, strike out line 27.

On page 1012, line 41, change the language, "House Bill No. 315" to read: "House Bill No. 350."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Oglesby moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 19, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 19, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 76. 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.

Also,

Senate Bill No. 227. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association; Providing for the Creation of the Board of Managers and Defining Its Powers, Duties, and Qualifications to Such Board; Providing for the Appointment of an Auditor and for the Filling of Vacancies on Such Board; Providing for Removal of Members of Such Board; Providing for the Organization of Such Board and the Matter of Conducting Business; Providing Procedure in Actions Brought Against Such Association; Providing for Employees and Bonds; Providing for Examination by the State Examiner and Repealing Chapter 268 of Session Laws of 1931 and Chapter 193 of the Session Laws of 1933.

Also,

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better,

and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Also,

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Sub-section 19 of Section 3861 of the Compiled Laws of North Dakota for the Year 1913, Relating to Penalties Imposed for Violation of Village Ordinances; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### PETITIONS AND COMMUNICATIONS

A petition signed by 104 signers from Steele County, 38 signers from Pierce County, and 41 signers from Towner County, urging the defeat of House Bill No. 216.

A communication signed by 75 residents of Steele County urging the passage of House Bill No. 260 and House Bill No. 190.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 19, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1935 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of the Session Laws of North Dakota for 1931: Entitled—“An Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of

Potatoes in Closed Containers, and Making an Appropriation Therefor."

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.



Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 19, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 77. 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.

Also,

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also,

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 19, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 97. A Bill for an Act to Provide for the Collection of Delinquent Taxes Levied and Assessed Upon Real and/or Personal Property from the Rents, Issues and

Income Thereof by Means of Receivership. Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Also,

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "L," Pertaining to Constitutional Amendments.

Also,

HOUSE CONCURRENT RESOLUTION "X," Pertaining to Amendment to Section 154 of the Constitution of the State of North Dakota.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Solberg moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

**HOUSE CONCURRENT RESOLUTION "W".** A Concurrent Resolution Providing for the Amendment and Re-enactment of Section 14 of Article 1 of the Constitution of North Dakota, Relating to the Procedure for Taking Private Property for Public Use.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

**House Bill No. 7.** A Bill for an Act Permitting Mortgage Indebtedness on Real Estate to Be Exempted from Taxation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted.

Mr. Frazier offered as a substitute motion that House Bill No. 7 be placed on the calendar.

Which motion lost.

The question being on the original motion of Mr. Holthusen, the motion prevailed and House Bill No. 7 was indefinitely postponed.

Mr. Traynor moved that the Action by which House Bill No. 7 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Odegard moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 12, 15, 26 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927 Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, the Qualification of Applicants for Examinations, Certificates and Fees, and to Provide Penalties for Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, Division E, page 31, line 44, after the word "shop" remove the comma and add: "or now holds a license for hair-dressing or cosmetologist in this State".

On page 4, Section 4, line 27, after the word "hairdresser" remove the word "or" and insert the word "and".

On page 2, line 12, Sub-division E of the printed bill, change after the word "hairdressing" by removing the word "or" and insert in lieu thereof the word "and".

On page 4, strike out all of Section "(c)" and re-letter Sections "(d)" and "(e)" to read "(c)" and "(d)".

On page 5, Section 3, line 9 after the word "experience" insert in lieu thereof the words "in North Dakota".

On page 7, Section 4, line 18, strike out "register" and insert in lieu thereof the word "recognized".

On page 7, line 32, strike out the word "annual".

On page 8, Section 4, after Subdivision E, add Subdivision "F", as follows: "All hairdressing and cosmetology shops in the State must be registered annually as such with the State Board under such rules and regulations as prescribed by the said board".

On page 8, Section 15, line 10, strike out the words "president and secretary" and insert in lieu thereof the words "board members".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Brusseau moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Make, Brand or Name.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 on page 1 of the printed bill, strike out the word "of" following the word "producer" and insert in lieu thereof the word "or".

In line 13 on page 2 of the printed bill following the word "such" insert the word "vendor or by such".

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 2618, Compiled Laws of North Dakota for the Year 1913, and Chapter 140 of the Sessions Laws of North Dakota for the Year 1919, Relating to the Herd Law and How the Same May Be Established and Suspended and Providing That All Herd Laws Heretofore Established Shall Be Suspended.

Have had the same under consideration and recommend that the same be amended as follows:

In Sec. 1, line 19, of the original bill which is line 22 of the printed bill, after the word "declare" insert the word "by", also in line 24 of original bill strike out the word "State" and insert the word "date".

Also in line 29 of original bill, which is line 34 of printed bill, strike out the word "voerts" and insert the word "votes".

And when so amended recommend the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Bieloh moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2766 of the Compiled Laws of North Dakota in 1913; Providing for Examination of Stallions by Qualified Veterinarian Under the Employment of the Stallion Registration Board Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A Bill" and amend to read as follows:

#### A BILL

For an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. AMENDMENT.) That Section 2763 of the Compiled Laws of North Dakota for the Year 1913 be and is hereby amended and re-enacted to read as follows:

SECTION 2763. LICENSE. DEFINITION.) No person, firm, company or corporation shall stand or travel for profit or gain any stallion or jack to be mated with any mare other than mares owned by the owner of such stallion or jack, or sell, offer for sale, exchange or transfer, any stallion or jack to be used for the above purpose, unless and until the owner of such stallion or jack shall have caused the name, description, and pedigree of such stallion or jack to be enrolled by the Stallion Registration Board.

The word "Stallion" wherever used in this article shall be construed to include the term "Jack" as well.

SECTION 2. AMENDMENT.) That Section 2764 of the Compiled Laws of North Dakota for the Year 1913 be and is hereby amended and re-enacted to read as follows:

SECTION 2764. STALLION REGISTRATION BOARD, HOW COMPOSED, DUTIES, COMPENSATION.) In order

to carry out the provisions of this Act the North Dakota Livestock Sanitary Board shall have direct supervision of the duties of the North Dakota Stallion Registration Board, whose duties it shall be to verify and register all pedigrees, and to provide the necessary inspection; to issue stallion license certificates; to make all necessary rules and regulations, and to perform such other duties as may be necessary to carry out the provisions of this Act.

All records, files, supplies, and funds which have accumulated under the provisions of Chapter 161 of the 1909 Session Laws of the State of North Dakota shall be transferred and delivered to the Secretary and Executive Officer of the Stallion Registration Board, State Capitol Building, Bismarck, North Dakota, immediately after the passage and approval of this Act.

The North Dakota Stallion Registration Board shall be composed of the President of the North Dakota Livestock Sanitary Board, the President of the North Dakota Livestock Breeders' Association, the North Dakota Commissioner of Agriculture, the Professor of Veterinary Science of the North Dakota Agricultural College, and the Executive Officer and State Veterinarian of the North Dakota Livestock Sanitary Board, who shall be ex-officio secretary and executive officer of the North Dakota Stallion Registration Board.

The North Dakota Stallion Registration Board shall hold its meetings at the State Capitol at such times as it may designate, but there shall not be to exceed two regular meetings each year; provided, that the president of the Board shall have power to call special meetings whenever in his judgment it becomes necessary.

The members of the North Dakota Stallion Registration Board shall receive as compensation for their service the sum of three dollars per day for each day employed, and actual expenses incurred attending the meetings of the Board, which sum shall be paid out of the State Treasury upon vouchers of the Board, duly certified by the president and secretary thereof.

SECTION 3. AMENDMENT.) That Section 2766 of the Compiled Laws of North Dakota for the year 1913 be and is hereby amended and re-enacted to read as follows:

SECTION 2766. EXAMINATION OF STALLIONS, METHODS, ETC.) The veterinary examination of the stallions provided for in this article must be done by a qualified graduate veterinarian who shall be in the employ of the North Dakota Stallion Registration Board. The inspector must not make known the results of the inspection of a stallion to the owner at the time of the inspection but must report same to the Secretary of the North Dakota Stallion Registration Board, who will notify the owner at the time he grants or refuses to grant him a license certificate for his horse.

SECTION 4. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

SECTION 5. 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.

W. W. TREFFRY,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 239 of the Session Laws of 1919 Which Also Appears as Section 3009a2 of the 1925 Supplement Relative to the Standard Weight of Coal, Charcoal and Ice to Include Therein Contracts for Transportation and Mining as Well as Sale.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 227 was indefinitely postponed be reconsidered and the motion to reconsider be placed on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 231. A Bill for an Act Providing for the Assessment and Taxation of Monies and Credits Defining Monies and Credits; Providing for Reports to Be Made to the State Tax Commissioner; Prescribing the Rate of Taxation and the Disposition of the Tax.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted.

Mr. Frazier offered, as a substitute motion, that House Bill No. 231 be placed on the calendar.

A roll call was demanded and granted.



## ROLL CALL

The question being on Mr. Frazier's substitute motion, the roll was called and there were ayes, 48; nays, 60; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Ritter
Anderson	Ireland	Sand
Anfinson	Jensen	Savre
Beggs	Knutson, LaMoure	Schauss
Bieloh	Krank	Schimke
Billigmeier	Levin	Seibel
Bjornson	McIntee	Semerad
Brown	Morland	Shurr, Bottineau
Brusseau	Myers	Solberg
Burgum	Obach	Sticka
Frazier	Olson, Bowman	Stray
Freitag	Olson, McLean	Thoreson
Godwin	Peterson, Bot'neau	Treffry
Greiser	Peterson, Richland	Tuff
Hagen	Pewe	Tweten
Haines	Rait	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Odegard
Beasley	Holmquist	Oglesby
Beaton	Holthusen	Olson, Adams
Benno	Huseby	Olson, Sargent
Black	Johnson	Page
Blair	Jury	Peterson, Renville
Byrne	Just	Sandness
Caddell	Knudson, Steele	Saumur
Dalzell	Kraus	Severson
Day	LaBerge	Shure, Cass
Dittmer	Langford	Symington
Dullea	Leum	Thompson
Fitch	Livingston	Traynor
Frey	McInnes	Trydahl
Frosaker	Magill	Twichell
Gessner	Morris	Urschel
Gilberg	Niewoehner	Wendland
Goodlaxon	Nelson, Cass	White
Graham	Nelson, Sargent	Wolf
Hofstrand	O'Brien	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Wick
Jones	Norheim	

So the motion lost.

Mr. Blair moved that the vote by which Mr. Frazier's mo-

tion was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### EXPLANATIONS OF VOTES

Mr. Thompson: I vote "no" on this because I don't think it would ever have been put in the House if it hadn't been that they thought it would be defeated in the Senate.

Mr. Williams: I think this is a step in favor of the farmers instead of the money changers. I vote "aye".

The question being on the original motion of Mr. Holthusen, the motion prevailed and House Bill No. 231 was indefinitely postponed.

Mr. Twichell moved that the vote by which House Bill No. 231 was indefinitely postponed be reconsidered and the motion to reconsider be placed on the table.

Which motion prevailed.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 214 of the North Dakota Session Laws of 1931.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRED J. SHURR,  
Chairman.

Mr. Morris moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fitch moved that the vote by which House Bill No. 261 was indefinitely postponed be reconsidered and the motion to reconsider be placed on the table.

Which motion prevailed.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

House Bill No. 263. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to Stallion Registration Board; Transfer of Records and Property of Same; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. W. TREFFRY,  
Chairman.

Mr. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Kraus moved that the vote by which House Bill No. 263 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 268. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Make Loans to Residents of North Dakota for the Purchase of Livestock Feed and for the Financing of Such Loans by the Commission and Providing for the Levy of a Tax to Retire Obligations Incurred Under the Provisions of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Trydahl moved that the vote by which House Bill No. 268 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Game and Fish made the following report:

Mr. Speaker: Your Committee on Game and Fish to whom was referred:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened

by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Certain Chapters and Sections of Our Game and Fish Laws.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "Re-enact" strike out the remainder of the title and insert in lieu thereof "Section 10322a50 of the Supplement to the Compiled Laws of 1913 as amended by Chapter 115 of the Session Laws of 1933".

In Section 1, line 21, strike out the word "cowbirds".

In Section 3, line 13, after the word "shall" insert the words "equal or".

In Section 6, line 21, after the word "unlawful" strike out the remainder of line and lines 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and down to and include "territory" in line 32.

In Section 7, line 27, strike out "14" and insert in lieu thereof "16."

In Section 8, page 14, line 36, after the figures "\$5.00" strike out "comma" and remainder of line and line 37 down to and include "Bismarck" in line 38.

In Section 12, page 21, line 12, after the word "required" insert the following: "Such fishway shall be kept in good repair by the person so owning, controlling, managing, operating or using such dam or obstruction. If any person fails to construct or keep in good repair durable and efficient fishways as herein provided, for the space of ten days after notice, the commissioner may construct or repair the same, and the cost thereof may be recovered from the owner or any person managing, or being in control thereof, in a civil action brought in the name of the State of North Dakota."

And when so amended recommend the same do pass.

O. C. OLSON,  
Chairman.

Mr. Thompson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

House Bill No. 275. 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.

Have had the same under consideration and recommend that the same be amended as follows:

In Sec. 2, line 3, after the word "hereof" strike out the words "a majority" and insert in lieu thereof the figures and words "20 percent".

And when so amended recommend the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

House Bill No. 284. A Bill for an Act for the Regulation of Traveling Egg Buyers, and Defining Who Are Such Buyers; License and Bond Required; Powers and Duties of Railroad Commission; Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act; and Making the Act an Emergency Measure.

Have had the same under consideration and recommend that the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 287. A Bill for an Act to Amend and Re-enact Section 1920 of Chapter 31 of the Compiled Laws of North Dakota for 1913, Relating to When Section-lines Considered Public Roads, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted.

Mr. Frazier offered as a substitute motion that House Bill No. 287 be recommended for passage, which motion was lost.

The question being on the original motion of Mr. Hagen, the motion prevailed.

Mr. Gessner moved that the vote by which House Bill No. 287 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 305. A Bill for an Act Amending and Re-enacting Chapter 135 of the Sessions Laws of North Dakota for the Year 1935, Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen and Committeewomen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910 to 916 Inclusive, Compiled Laws of 1913 and Chapter 137 of the North Dakota Session Laws for the Year 1927, and Chapter 123 of the North Dakota Session Laws for the Year 1929.

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:

"Election Presidential Electors, Precinct Committeemen and Precinct Committeewomen, Delegates National Conventions, National Committeemen and Committeewomen, and Organization County and State Committees.

"For an Act Amending and Re-enacting Chapter 135 of the Session Laws of North Dakota for the Year 1935, Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen and Committeewomen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910 to 916 Inclusive, Compiled Laws of 1913 and Chapter 137 of the North Dakota Session Laws for the Year 1927, and Chapter 123 of the North Dakota Session Laws for the Year 1929.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. AMENDMENT.) That Section 1 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 1. That at the party primary election now held on the last Wednesday in June of each even-numbered year, prior to presidential years, and commencing with the year 1938 and each fourth year thereafter, there shall be elected, as hereinafter provided, by the qualified electors of

each political party from each voting precinct, committeemen and committeewomen, to represent such political party, and by the qualified electors of each political party one national committeeman and one national committeewoman of such political party.

“SECTION 2. AMENDMENT.) THAT Section 2 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 2. Each political party in each voting precinct in this State shall be entitled to elect one precinct committeeman and one precinct committeewoman. All precinct committeemen and committeewomen shall be electors of their precincts and shall be elected to serve for a term of two years and until their successor is elected and qualified. The national committeemen and the national committeewomen shall be electors of the State of North Dakota and shall be elected to serve for a term of four years, such term to begin thirty days after their election and continue until their successor is elected and qualified.

“SECTION 3. AMENDMENT.) That Section 3 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 3. Candidates for precinct committeemen and precinct committeewomen may have their names placed on separate party ballots of their respective parties within their respective precincts by filing with the county auditor not more than fifty, nor less than twenty-five days prior to election, petitions bearing the signatures of not less than five per cent of the last vote in such precinct for the aforesaid candidate for presidential elector of the party to which the candidate for precinct committeeman or committeewoman belongs. Such nominating petitions shall conform with the new existing requirements of law in all matters not specifically provided for herein. Each name on the petition shall be that of a qualified voter and be subscribed under the party heading. Each signer of a nomination paper for committeeman or committeewoman shall be entitled to sign one petition for a precinct committeeman and one petition for a precinct committeewoman from the precinct in which the signer resides and for the political party to which the signer belongs. The signer shall add his or her residence, with the street number, if any, and the date of signing.

“SECTION 4. AMENDMENT.) That Section 4 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 4. The names of candidates for election as precinct committeeman and precinct committeewoman shall be printed on separate ballots for each political party. Such ballot shall contain only the names of candidates for party

precinct committeeman and committeewoman for whose nomination petitions have been filed with the county auditor as is herein provided. If no nominating petitions have been filed for any candidate for either or both of said offices, the ballot shall contain blank lines and spaces on which names may be written or a sticker pasted. The ballot to be used for the election of candidates for said office shall be prepared for each voting precinct in the county by the county auditor and distributed by him, with other election supplies, in the same manner and number for each party as is now provided by law for party primary election ballots. Such ballots shall be in the following form, namely:

Party Precinct Committee Ballot

.....Party  
(Insert party name)

To vote this ballot mark an (X) in the square after the name of each of the persons for whom you wish to vote.

For Precinct Committeeman

(vote for .....)

John Doe .....

Richard Roe .....

For Precinct Committeewoman

(Vote for .....)

Mary Doe .....

Susy Roe .....

“SECTION 5. AMENDMENT.) That Section 5 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 5. No organization, political or otherwise, shall be entitled to a party ballot in the election herein provided for unless said organization nominated and had printed upon the ballot, at the last preceding presidential election, the names of a set of presidential electors pledged to the election of the candidates for said party for president and vice president, and further, that such candidates for presidential electors receive at least five per cent of the total vote cast for president within the State at said election.

“SECTION 6. AMENDMENT.) That Section 6 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 6. The candidate for precinct committeeman and committeewoman receiving the highest votes shall be declared elected. Upon the closing of the polls the election officials in each precinct shall proceed to count and canvass the votes cast for precinct committeeman and committee-



woman and ascertain who were elected, and shall notify the county auditor. The county auditor shall then forthwith make out and mail to each person elected upon blanks provided by the county, a certificate of election, which shall also notify said precinct committeeman and committeewoman of the time and place of the first meeting of the county committee, as hereinafter provided. In case of a tie vote the County Canvassing Board shall immediately decide the winner by drawing lots.

“SECTION 7. AMENDMENT.) That Section 7 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 7. Except as herein otherwise provided, the ballots above provided for, shall be prepared, printed, distributed, voted, canvassed and returned and said election held and conducted in the manner now provided by law for party primary election, respectively; likewise, as to notice of election, disposition of ballots, certifying election, penalties for violation of election laws and all other matters not specifically provided for in this Act.

“SECTION 8. AMENDMENT.) That Section of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

“SECTION 8. The precinct committeemen and committeewomen elected as herein provided, together with the members of the legislative assembly of each party, shall constitute the county committee of each party. They shall meet at the courthouse, at the county seat of each county at two o'clock P. M. on the third Wednesday after such primary election and organize by selecting a chairman, a vice chairman, (at least one of whom shall be a woman) a secretary, and a treasurer, (at least one of whom shall be a woman), by adopting rules and modes of procedure not in conflict of law, and by selecting an executive committee consisting of nine persons chosen from the county committee, (four at least of whom shall be women), of which executive committee the chairman, vice chairman, secretary and treasurer shall be members. Such county committee shall at the same time select two persons, a man and a woman, who shall be legal voters to act upon and be members of the State Central Committee of such party in all counties consisting of one legislative district, and in all counties having more than one legislative district the precinct committeemen and committeewomen from each legislative district, meeting separately, shall select two legal voters, a man and a woman, from their respective legislative districts to serve on such State Central Committee. When two or more counties are embraced in one legislative district the county committee of each county shall meet as aforesaid and shall elect a committee of three of its members to meet with a similar committee from the other county or counties comprising such legislative district, at the courthouse, at the county seat of

the senior county of such district, at two o'clock P. M. on the fourth Wednesday following their election and proceed to elect two members, a man and a woman, of such State Central Committee from such legislative district. Each county shall be entitled to cast a number of votes equal to the number of committeemen and committeewomen elected in its county, in such manner for such candidate as shall be determined by the majority of such committee, acting personally or by proxy. Each member of any committee shall be a legal voter and shall retain such position until his successor is chosen. If any member of such State Central Committee is unable to attend any meeting of such committee, he or she shall be authorized to give written proxy to another legal voter of his or her legislative district or county, belonging to the same party.

"Vacancies shall be filled by a majority of the State Committee by appointment from the legislative district in which such vacancy exists. Vacancies in the office of precinct committeeman and precinct committeewoman shall be filled by appointment from such precinct made by the County Executive Committee of such party.

"Members so elected as State Central Committeemen and Committeewomen shall meet on the second Wednesday in August following the party primary election and such meeting of said State Central Committeemen and Committeewomen shall be held at the State Capitol, and shall convene at ten o'clock A. M. Such meetings shall organize by selecting a chairman, a vice chairman (one of whom shall be a woman), a secretary and a treasurer, (one of whom shall be a woman), and by adopting rules and modes of procedure. The officers so elected need not be members of such committee.

"SECTION 9. AMENDMENT.) That Section 9 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 9. The precinct committeemen and committeewomen at a county meeting held at two o'clock P. M. on the first Wednesday in May in each county, at the county seat in each precinct election year shall meet and elect delegates to a State party convention to be held as herein provided. Two delegates, one of whom shall be a woman, shall be elected for each 500 votes, or major fraction thereof, cast in said county at the last preceding presidential election for the presidential electors of such party receiving the highest votes in the state. Provided, that each county shall be entitled to at least two delegates, one of whom shall be a woman. All delegates shall be electors of their county. If any delegates shall be unable to attend such convention he or she shall designate in writing an alternate to attend and represent and act for him or her.

"Said State party convention shall be held in each presidential year prior to the holding of the National party conventions. Such conventions shall be held at such places and

at such time as shall be designated by the respective party State Central Committee.

"Such party conventions shall nominate the legal number of candidates for their respective parties for the offices of presidential electors and the required number of delegates to the national party convention and a like number of alternates. The candidate or candidates receiving the majority vote of the delegates elected to such convention shall be declared nominated or elected, and the chairman and secretary of such convention shall issue certificates of nomination or election. If any delegate to such national convention shall be unable to attend, he or she shall designate in writing one of the alternates to attend and represent and act for him or her. The names of candidates nominated for presidential electors shall be certified by the chairman and secretary of such convention to the Secretary of State, to be placed upon the general election ballot, as now provided by law.

"SECTION 10. AMENDMENT.) That Section 10 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 10. If a special election shall be called to fill a vacancy in any office requiring a party nomination, the proper party committee shall call a convention to make party nomination for such office and the precinct committeemen and committeewomen of the county or district shall be duly convened and shall elect the required number of delegates to such convention.

"SECTION 11. AMENDMENT.) That Section 11 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 11. The provisions of Chapter 129, Laws of 1911, and acts amendatory thereof relating to unfair and corrupt election practices are hereby specifically made applicable to all elections and conventions provided for in this Act.

"SECTION 12. AMENDMENT.) That Section 12 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 12. Should a vacancy occur in any nomination for any party office or in the office of national committeeman, or national committeewoman, the proper committee shall have authority to fill such vacancy.

"SECTION 13. AMENDMENT.) That Section 13 of Chapter 135 of the Session Laws of North Dakota for the year 1935 be and the same is hereby amended and re-enacted to read as follows:

"SECTION 13. It is not the intention hereof to destroy or impair the organization of any party or principle now existing or hereafter to exist, therefore, each of such parties or principles, and each and all of the state, county, district and other committees thereof shall possess all of the power and authority heretofore established and existing by the usage and cus-

toms of such parties not inconsistent with any of the provisions hereof.

“SECTION 14. ELECTION OF NATIONAL COMMITTEEMAN AND NATIONAL COMMITTEEWOMAN.) The National Committeeman and National Committeewoman of each party entitled to a party ballot as provided in Section 5 of this Act, shall be elected in the same manner as provided for the nomination of a candidate for United States Senator, and all laws applicable to nomination as a candidate for United States Senator shall apply to the election of national committeeman and national committeewoman of such parties, together with all penalties provided by law for the violation thereof.

“SECTION 15. FORM OF BALLOTS FOR NATIONAL COMMITTEEMAN AND NATIONAL COMMITTEE WOMAN.) The candidates for national committeeman shall appear on the ballots provided for by Section 859 of the Compiled Laws of North Dakota for the year 1913, immediately after the candidates for Congress, and the candidates for national committeewoman shall appear immediately after the candidates for national committeeman, in the manner provided by Section 859, of the Compiled Laws of North Dakota for the year 1913, viz:

NATIONAL COMMITTEE

National Committeeman.....Vote for one

National Committeewoman.....Vote for one

“SECTION 16. PETITION.) Section 857 of the Compiled Laws of North Dakota for the year 1913 shall not apply to election under this Act. The number of names on each petition required by Section 853 of said Compiled Laws shall, for the election provided for in this Act, be deemed to be 200.

“SECTION 17. AMENDMENT.) That Section 14 of Chapter 135 of the Session Laws of 1935 be and the same is hereby amended and re-enacted to read as follows:

SECTION 14. The first election held under this Act shall be in 1938, and the national committeeman and the national committeewoman selected according to Chapter 135 of the Session Laws of 1935, shall serve until their successors are elected and qualified under this Act in 1938. The precinct committeemen elected at the party primary in 1934 shall serve until committeemen and committeewomen shall be elected and qualified under this Act in 1938.

“SECTION 18. REPEAL.) All Acts or parts of Acts, including Section 910 and 916 inclusive, Compiled Laws of 1913, Chapter 137 of the Laws of 1927 and Chapter 123 of the Laws of 1929, and all Acts amendatory thereof or in Conflict herewith are hereby repealed.”

And when so amended recommend the same do pass.

JAMES CADDELL,  
Chairman.

Mr. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was referred:

House Bill No. 314. A Bill for an Act Distributing Public Printing; Specifying Duties of County Commissioners With Reference Thereto, Providing Penalty and Repealing All Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROB. GREISER,  
Chairman.

Mr. Knudson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 314 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Have had the same under consideration and recommend that the same be amended as follows:

Sec. 2, lines 2 and 3, strike out the words "are required to" and in line three of, insert the word "may".

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on School and Public Lands made the following report:

Mr. Speaker: Your Committee on School and Public Lands to whom was referred:

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Page 1, Section 1, line 5 of the printed bill after the word "is" and before the word "abolished" insert the word "hereby".

And when so amended recommend the same do pass.

HARVEY BRUSSEAU,  
Chairman.

Mr. Brusseau moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 343. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18 of Chapter 101 of the Session Laws of 1927 and Acts Amendatory Thereto Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respect to Who May Follow the Occupation of Barbering; and Regulating the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Peterson of Richland moved that the report be adopted.

Mr. Bjornson offered as a substitute motion that House Bill No. 343 be placed on the calendar. A division was called for and the motion lost.

The question being on the original motion of Mr. Peterson of Richland, the motion prevailed and House Bill No. 343 was indefinitely postponed.

Mr. Fitch moved that the vote by which House Bill No. 343 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 344. A Bill for an Act to Provide That 50% of the Hail Indemnity Tax Assessed for the Year of 1935 Shall be Refunded or Abated, and Designating the Funds From which Payments Shall Be Made.

Have had the same under consideration and recommend that the same be indefinitely postponed.

LEONAS MYERS,  
Chairman.

Mr. O. C. Olson moved that the report be adopted.

Mr. Niewoehner offered, as a substitute motion, that House Bill No. 344 be placed on the calendar.

Which motion was lost.

The question being on the original motion of Mr. Olson the motion prevailed and House Bill No. 344 was indefinitely postponed.

Mr. Fitch moved that the vote by which House Bill No. 344 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION No. 356. An Act for an Amendment to the Constitution of the State of North Dakota Providing for a Managers Plan of County Government in Certain Counties.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, line 6 of the printed bill, strike out the word "five" and insert in lieu thereof the word "eight".

At the end of the Bill on line 62 after the word "offices", strike out the period (.) and insert the following: "; provided that after a change has been made in the form of County government, that the question of changing back to

the former system of government shall not be submitted to election within six years”.

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 363. A Bill for an Act Defining, Licensing and Regulating Dealers at Wholesale as Herein Defined; Defining the Words “Produce,” “Person,” and “Commissioner”; Outlining the Procedure to Obtain a License; Providing for the Date of Expiration of Licenses, the Amount, and the Posting Thereof; Providing for Appeals from Actions of the Commissioner and How Appeals May Be Taken; Providing for Handling Money Received from License Fees; Imposing Certain Duties and Conferring Certain Powers Upon the Commissioner of Agriculture and Prescribing Penalties for Violation of This Act.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.



Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highway and Bridges made the following report:

Mr. Speaker: Your Committee on Highway and Bridges to whom was referred:

House Bill No. 370. A Bill for an Act Authorizing the State Highway Commissioner to Compromise and Settle the Claim of Edward Bannon for Damages Suffered in a Collision With a Power Motor Patrol, Operated by an Employee of the State Highway Department.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 372. A Bill for an Act Authorizing Emergency Money Grants by the State Equalization Fund to School Districts; Providing for an Audit in Such Cases by the State Examiner; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 372 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for

Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line four of the title after the semicolon strike out the words "levying a flat hail insurance tax of one cent on each acre of tillable land in North Dakota;"

Page three of the printed bill, Section five, line two, after the word shall, strike out the words "consisting of all crops" and insert in lieu thereof the words "be limited to rye, wheat, speltz, barley, oats, flax, corn, buckwheat, millet, and potatoes".

On page four of the printed bill, Section six, line one, after the figure "6" strike out the words "flat tax and". On line two, beginning with the word "there" strike out all of the section down to line 14, including the word "tax".

Page 5 of the printed bill, on line 16, strike out the figure "6".

On page 5 of the printed bill, line 22, after the comma, strike out the words "One Million of which shall be in cash".

Page 5, line 26, of the printed bill, after the word "year" strike out the balance of the section.

Page 7 of the printed bill, line 39, strike out the words "Flat tax and".

Page 7 of the printed bill, line 48, strike out the words "and flat".

Page 9 of the printed bill, Section 8, line 5, strike out the words "and flat".

Page 9 of the printed bill, Section 8, line 6 and 7, strike out the words "and flat acreage taxes".

Page 12 of the printed bill, line 45, strike out the figure "29" and insert in lieu thereof the figure "25".

Page 13, Section 11 of the printed bill, line 9, strike out the word "triplicate" and insert in lieu thereof "quadruplicate", and on line 11 of the same section strike out the word "one" and insert in lieu thereof the word "two". On the same line strike out the word "duplicate" and insert in lieu thereof the word "duplicates".

Page 13, line 14, of the printed bill after the period insert "the original and one copy of such affidavit shall be mailed to the Commissioner of Insurance by the auditor not later than June 5th".

Page 14 of the printed bill, Section 12, line 3, strike out the figure "20" and insert in lieu thereof the figure "30".

Page 15 of the printed bill, line 14, after the period insert the words "provided, however, that upon any such withdrawal made after the 15th day of June 15% of the current indemnity

taxes shall be charged and collected in the same manner as is now provided for the collection of the regular hail indemnity taxes”.

Page 15 of the printed bill, line 16, after the word “peace” strike out the words “provided that no assessor shall acknowledge any affidavit of withdrawal” and insert in lieu thereof the words “or the assessor”.

Page 16 of the printed bill, line 59, strike out the figure “5” and insert in lieu thereof the figure “20”.

Page 24 of the printed bill, Section 21, line 9, after the period, strike out the words “provided, however, that the one million surplus in cash herein provided shall be maintained in the Hail Insurance Fund at all times.”

Page 30 of the printed bill, Section 29, on line 10, after the word “act” insert the words, “provided that special policies may be written on potatoes at \$18.00 per acre”.

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. White moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

HOUSE RESOLUTION “K”, Introduced by Representa-

tives Freitag, Beggs, Olson of McLean, Goodlaxon, Niewoehner, Biberdorf, Hofstrand and Tweten, Memorializing Congress to enact necessary legislation and make the required appropriation to complete the Missouri River Diversion Project in North Dakota.

Was read.

Mr. Freitag moved that House Resolution "K" be adopted, which motion prevailed.

Mr. Freitag moved that House Resolution "K" be printed in the Journal, which motion prevailed.

#### HOUSE RESOLUTION "K"

Introduced by Representatives Freitag, Beggs, Olson of McLean, Goodlaxon, Niewoehner, Biberdorf, Hofstrand and Tweten

A Resolution Memorializing Congress to Enact Necessary Legislation and Make the Required Appropriation to Complete the Missouri River Diversion Project in North Dakota:

WHEREAS: Several extensive surveys have been completed, and large sums of money have been spent in making such surveys, and

WHEREAS: Engineers have made reports favorable to the project, and

WHEREAS: Many millions of dollars have been and are being spent in water conservation and flood control;

THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

SECTION 1. That we most earnestly, but emphatically, request the Congress of the United States to enact necessary legislation, and appropriate a sufficient sum to enable completion of the Missouri River Diversion Project in this state with the least possible delay.

SECTION 2. Be it further resolved that we direct attention to the fact that the benefits will not be confined to water conservation alone, but will be a larger factor in flood control as well.

SECTION 3. Be it further resolved: That the Chief Clerk of this Assembly cause a copy of this resolution to be mailed to our representatives in both houses of the United States Congress, with the request that the matter be brought up for immediate action.

Speaker Dahl: I have been asked by the Workmen's Compensation Bureau to inform the members of this House that you are supposed to have the employees of this House insured under the Compensation Act.

Mr. Knudson of Steele moved that the matter of insurance for employees be referred to the Employment Committee, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; 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, 87; nays, 6; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Jury	Ritter
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Bjornson	Kraus	Savre
Black	LaBerge	Schauss
Brusseau	Langford	Seibel
Burgum	Leum	Semerad
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Gessner	Nelson, Cass	Treffry
Godwin	Nelson, Sargent	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Greiser	Odegard	Twichell
Haines	Oglesby	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	White
Holmquist	Olson, Sargent	Williams
Hultstrand	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Brown	Holthusen
Beasley	Frey	Page

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Peterson, Renville
Anfinson	Jones	Sand
Biberdorf	Just	Schimke

Messrs.	Messrs.	Messrs.
Blair	Kapaun	Traynor
Frosaker	Krank	Wick
Gilberg	Norheim	Wolf
Hagen	Olson, McLean	

So the bill passed, the title was agreed to, and the emergency clause declared carried.

Mr. Freitag moved that the vote by which House Bill No. 163 was passed be reconsidered and the motion to reconsider be laid on the table.

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Mr. Trydahl asked the unanimous consent of the House to amend the bill by changing the words "personal ally" in Section 4 of the original bill, to read "personally."

Which consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 320 be considered properly re-engrossed and placed on 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, 62; nays, 33; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Gilberg	Odegard
Anderson	Graham	Oglesby
Anfinson	Haines	Olson, Bowman
Beasley	Holm	Olson, McLean
Beaton	Holthusen	Page
Beggs	Hultstrand	Peterson, Bot'neau
Benno	Huseby	Peterson, Renville
Bieloh	Jury	Peterson, Richland
Billigmeier	Knudson, Steele	Sandness
Black	Knutson, LaMoure	Savre
Brown	Langford	Schauss
Brusseau	Leum	Schimke
Burgum	Livingston	Severson
Byrne	McInnes	Shurr, Bottineau
Caddell	Magill	Thompson
Dalzell	Morland	Trydahl
Day	Morris	Tuff
Dullea	Myers	Urschel
Frazier	Niewoehner	White

Messrs.	Messrs.	Messrs.
Frey	Nelson, Cass	Williams
Frosaker	O'Brien	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Krank	Semerad
Fitch	Kraus	Shure, Cass
Freitag	Levin	Sticka
Gessner	McIntee	Symington
Godwin	Nelson, Sargent	Thoreson
Goodlaxon	Obach	Traynor
Greiser	Olson, Sargent	Treffry
Hofstrand	Pewe	Tweten
Holmquist	Rait	Twichell
Jensen	Ritter	Wendland
Johnson	Seibel	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Sand
Bjornson	Just	Saumur
Blair	Kapaun	Solberg
Dittmer	LaBerge	Stray
Hagen	Norheim	Wick
Ireland	Olson, Adams	Wolf

So the bill passed, the title was agreed to, and the emergency clause declared lost.

Mr. Godwin moved that the vote by which House Bill No. 320 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that the House recess until 4:00 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 4:00 P. M., pursuant to recess, Speaker Dahl presiding.

The Speaker called Mr. Fitch to the chair.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty Therefor.

Was read the first time and referred to the Committee on Temperance.

#### SECOND READING OF HOUSE BILLS

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North

Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Was read the second time.

Mr. Beggs asked the unanimous consent of the House to amend the bill by striking out the Whereas clauses down to the enacting clause, which consent was granted.

Mr. Wolf moved that the rules be suspended and that House Bill No. 100 be considered properly re-engrossed and placed on 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, 60; nays, 35; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Olson, Sargent
Anderson	Huseby	Peterson, Bot'neau
Beaton	Jury	Peterson, Renville
Benno	Knudson, Steele	Pewe
Billigmeier	Knutson, LaMoure	Rait
Bjornson	Krank	Ritter
Black	Kraus	Saumur
Caddell	LaBerge	Schauss
Dullea	Leum	Schimke
Fitch	Levin	Seibel
Frazier	McInnes	Severson
Freitag	McIntee	Sticka
Frosaker	Morland	Stray
Godwin	Morris	Symington
Hagen	Myers	Thompson
Haines	Nelson, Sargent	Treffry
Hofstrand	Obach	Trydahl
Holm	Odegard	Tuff
Holmquist	Olson, Adams	Tweten
Holthusen	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Savre
Anfinson	Ireland	Shure, Cass
Beasley	Just	Shurr, Bottineau
Beggs	Langford	Solberg
Blair	Magill	Traynor
Brown	Niewoehner	Twichell
Brusseau	O'Brien	Urschel
Dalzell	Oglesby	Wendland
Day	Olson, McLean	White
Gessner	Page	Williams
Gilberg	Peterson, Richland	Wolf
Graham	Sandness	



Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Goodlaxon	Nelson, Cass
Bieloh	Jensen	Norheim
Burgum	Johnson	Sand
Byrne	Jones	Semerad
Dittmer	Kapaun	Thoreson
Frey	Livingston	Wick

So the bill passed, the title was agreed to, and the emergency clause declared lost.

Mr. Thompson moved that the vote by which House Bill No. 100 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: It seems to me that this is rather excessive. Therefore I vote "no."

Mr. Niewoehner: I change my vote from "aye" to "no." I do this because of the hard times under which we are living now. I think this work could be postponed until things are better.

Mr. Hagen moved that House Bill No. 353 be moved to the head of the calendar.

Which motion prevailed.

House Bill No 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds for Farmers in Drouth Stricken Counties of This State; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Was read the second time.

Mr. Godwin 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, 75; nays, 29; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Jury	Ritter
Bieloh	Just	Saumur
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Brown	Kraus	Seibel

Brusseau	LaBerge	Semerad
Burgum	Levin	Severson
Byrne	Livingston	Shurr, Bottineau
Caddell	McIntee	Solberg
Dalzell	Magill	Sticka
Day	Morland	Stray
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Treffry
Frosaker	Obach	Tuff
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Page
Beasley	Holm	Sandness
Black	Holthusen	Savre
Blair	Knudson, Steele	Shure, Cass
Dittmer	Langford	Symington
Dullea	Leum	Traynor
Frey	McInnes	Trydahl
Gessner	Nelson, Sargent	Tweten
Gilberg	Oglesby	Twichell
Graham	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Sand
Johnson	Nelson, Cass	Wick
Jones	Norheim	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause declared carried.

Mr. Oglesby: I don't think there are any of us here who would wish to vote "no" on this if we had the correct report, but if this is going to be railroaded through like a lot of other stuff I am going to vote "no." We could have gotten the information here if we had had a little time.

Mr. Thompson: I don't like the way the things are railroaded through, but still I know the conditions our people are facing in the western part of the state, and I am going to vote "aye" and try to keep it from going through the Senate if I find the facts are misrepresented.

Mr. Trydahl: I will not vote "aye" on this bill until we have more information, which can be had right here in the building. Therefore I vote "no."

Mr. White: I am going to vote "aye" on this bill because I know that we need the money, but I would sooner have had one word in Section 3 changed. They could have changed the word "may" to "must," and made it mandatory that it be matched by federal funds.

Mr. Hagen: I voted "aye" on this bill because it is an effort to take advantage of an offer by a generous national administration, and affects the lives of our people and our livestock.

House Bill No. 257. A Bill for an Act to Amend and Re-enact Section 454 of the Compiled Laws of North Dakota for 1913 Relating to Certified Copies of Record of Births or Deaths and Fees Therefor.

Was read the second time.

Mr. Godwin moved that further consideration of House Bill No. 257 be indefinitely postponed.

Mr. Myers moved the previous question, which motion prevailed.

The question being on Mr. Godwin's motion, the motion prevailed, and House Bill No. 257 was indefinitely postponed.

Mr. Twichell moved that further consideration of House Bill No. 258 be indefinitely postponed, which motion prevailed.

Mr. Twichell moved that the vote by which House Bill No. 258 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug 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, 100; nays, 0; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Akland	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Jensen	Ritter
Beaton	Jury	Sand
Benno	Just	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	Kraus	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg

Messrs.	Messrs.	Messrs.
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Obach	Trydahl
Gessner	O'Brien	Tuff
Gilberg	Odegard	Tweten
Godwin	Oglesby	Twichell
Goodlaxon	Olson, Adams	Urschel
Graham	Olson, Bowman	Wendland
Greiser	Olson, McLean	White
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Johnson	Nelson, Sargent
Biberdorf	Jones	Norheim
Dittmer	Kapaun	Savre
Dullea	Nelson, Cass	Wick
Hagen		

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which House Bill No. 253 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, 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, 95; nays, 5; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Pewe
Beasley	Jury	Rait

Messrs.	Messrs.	Messrs.
Beaton	Just	Ritter
Benno	Knudson, Steele	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Savre
Black	LaBerge	Schauss
Blair	Langford	Schimke
Brown	Leum	Seibel
Brusseau	Levin	Semerad
Burgum	Livingston	Severson
Byrne	McInnes	Shure, Cass
Caddell	McIntee	Shurr, Bottineau
Dalzell	Magill	Solberg
Day	Morland	Sticka
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Sargent	Traynor
Frosaker	Obach	Treffry
Gessner	O'Brien	Trydahl
Gilberg	Odegard	Tuff
Godwin	Oglesby	Twetén
Goodlaxon	Olson, Adams	Twichell
Graham	Olson, Bowman	Urschel
Greiser	Olson, McLean	Wendland
Haines	Olson, Sargent	White
Hofstrand	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Holthusen	Peterson, Renville	Mr. Speaker
Hultstrand	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Anfinson	Huseby
Anderson	Holm	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Jensen	Nelson, Cass
Biberdorf	Johnson	Norheim
Dittmer	Jones	Stray
Dullea	Kapaun	Wick
Hagen		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Morris moved that the vote by which House Bill No. 264 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

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, 95; nays, 0; absent and not voting 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Richland
Akland	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beasley	Jury	Sand
Beaton	Knudson, Steele	Sandness
Beggs	Knutson, LaMoure	Saumur
Benno	Krank	Savre
Bieloh	Kraus	Schauss
Billigmeier	LaBerge	Schimke
Bjornson	Langford	Seibel
Black	Leum	Semerad
Blair	Levin	Severson
Brown	Livingston	Shure, Cass
Brusseau	McInnes	Shurr, Bottineau
Byrne	McIntee	Solberg
Caddell	Magill	Sticka
Dalzell	Morland	Symington
Day	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Nelson, Sargent	Treffry
Frey	Obach	Trydahl
Frosaker	O'Brien	Tuff
Gessner	Odegard	Tweten
Gilberg	Oglesby	Twichell
Godwin	Olson, Adams	Urschel
Goodlaxon	Olson, Bowman	Wendland
Greiser	Olson, McLean	White
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Renville	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Holthusen	Nelson, Cass
Burgum	Jensen	Norheim
Dittmer	Johnson	Peterson, Bot'neau
Dullea	Jones	Stray
Graham	Just	Wick
Hagen	Kapaun	Mr. Speaker

So the bill passed and the title was agreed to.

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions

of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, 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, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Ritter
Beasley	Ireland	Rait
Beaton	Jensen	Sand
Beggs	Jury	Sandness
Benno	Knudson, Steele	Saumur
Bieloh	Knutson, LaMoure	Savre
Billigmeier	Krank	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Peterson, Bot'neau
Burgum	Just	Peterson, Renville
Dittmer	Kapaun	Stray
Dullea	Nelson, Cass	Wick
Freitag	Norheim	Wolf
Johnson		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

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, 63; nays, 35; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Holm	Page
Beaton	Holthusen	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Benno	Ireland	Rait
Bieloh	Jensen	Sandness
Billigmeier	Jury	Saumur
Bjornson	Knudson, Steele	Schauss
Black	Krank	Schimke
Blair	Kraus	Severson
Caddell	LaBerge	Shure, Cass
Dalzell	Langford	Solberg
Fitch	Leum	Sticka
Frazier	Levin	Symington
Frosaker	Livingston	Traynor
Gessner	McInnes	Trydahl
Gilberg	Magill	Twichell
Godwin	Morland	Urschel
Goodlaxon	Niewoehner	Wendland
Graham	Nelson, Sargent	White
Haines	Oglesby	Williams
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Ritter
Akland	McIntee	Sand
Anderson	Morris	Seibel
Beasley	Myers	Semerad
Brown	Obach	Shurr, Bottineau
Brusseau	O'Brien	Thompson
Byrne	Odegard	Thoreson
Day	Olson, Adams	Treffry
Frey	Olson, McLean	Tuff
Greiser	Olson, Sargent	Tweten
Hagen	Peterson, Bot'neau	Wolf
Holmquist	Pewe	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Nelson, Cass
Burgum	Jones	Norheim
Dittmer	Just	Savre



Messrs.	Messrs.	Messrs.
Dullea	Kapaun	Stray
Freitag	Knutson, LaMoure	Wick

So the bill passed and the title was agreed to.

Mr. Godwin moved that the vote by which House Bill No. 324 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 327. A Bill for an Act to Repeal Sections 4822, 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4832, and 4833, of the 1913 Compiled Laws of the State of North Dakota, Relating to Wagon Road Corporations.

Was read the second time.

Mr. Twichell moved that further consideration of House Bill No. 327 be indefinitely postponed, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that further consideration of House Bill No. 328 be indefinitely postponed, which motion prevailed.

Mr. Godwin moved that Senate Bill No. 101 be referred to General Orders, which motion prevailed.

Mr. Beggs moved that the vote by which House Bill No. 370 was indefinitely postponed be reconsidered, which motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing 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, 72; nays, 28; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Adams
Anderson	Holmquist	Olson, Bowman
Anfinson	Holthusen	Olson, McLean
Beasley	Hultstrand	Olson, Sargent
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Rait
Benno	Jury	Sand
Bieloh	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Savre
Brown	Krank	Semerad
Brusseau	Kraus	Schauss

Messrs.	Messrs.	Messrs.
Burgum	LaBerge	Schimke
Byrne	Langford	Seibel
Dalzell	Leum	Severson
Day	Livingston	Shurr, Bottineau
Fitch	McInnes	Solberg
Frazier	McIntee	Stray
Freitag	Magill	Thompson
Frey	Morland	Treffry
Frosaker	Myers	Tuff
Godwin	Niewoehner	Tweten
Goodlaxon	Nelson, Sargent	Urschel
Hagen	Obach	White
Haines	Odegard	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Levin	Shure, Cass
Black	Morris	Sticka
Blair	O'Brien	Symington
Caddell	Oglesby	Thoreson
Gessner	Page	Traynor
Gilberg	Peterson, Bot'neau	Trydahl
Greiser	Peterson, Renville	Twichell
Holm	Pewe	Wendland
Huseby	Saumur	Wolf
Just		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Norheim
Billigmeier	Jones	Ritter
Dittmer	Kapaun	Wick
Dullea	Nelson, Cass	Mr. Speaker
Graham		

So the bill passed and the title was agreed to.

Mr. Bjornson moved that the vote by which House Bill No. 354 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION "X" was read the second time.

Mr. Page moved that further consideration of House Concurrent Resolution "X" be indefinitely postponed, which motion prevailed.

Mr. Twichell moved that the vote by which House Concurrent Resolution "X" was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker resumed the chair.

HOUSE CONCURRENT RESOLUTION "L" was read the second time.

Mr. Trydahl asked the unanimous consent of the House to correct the spelling of the word "amendment" wherever it occurs in the original Resolution, which consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Concurrent Resolution "L" be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 97; nays, 0; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anderson	Jensen	Rait
Anfinson	Jury	Ritter
Beasley	Just	Sandness
Beaton	Knudson, Steele	Saumur
Benno	Knutson, LaMoure	Savre
Bieloh	Krank	Schauss
Billigmeier	Kraus	Schimke
Bjornson	LaBerge	Semerad
Black	Langford	Seibel
Blair	Leum	Severson
Brusseau	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Byrne	McInnes	Solberg
Dalzell	Magill	Sticka
Day	Morland	Stray
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Sargent	Traynor
Gessner	Obach	Treffry
Gilberg	O'Brien	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Greiser	Olson, Adams	Twichell
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	Wendland
Hofstrand	Olson, Sargent	White
Holm	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Holthusen	Peterson, Renville	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Fitch	McIntee
Biberdorf	Graham	Nelson, Cass

Messrs.  
Brown  
Caddell  
Dittmer  
Dullea

Messrs.  
Johnson  
Jones  
Kapaun

Messrs.  
Norheim  
Sand  
Wick

So the bill passed and the title was agreed to.

Mr. Page moved that the vote by which House Concurrent Resolution "L" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the rules be suspended and that House Bill No. 195 be transferred from the Committee on State Affairs to the Committee on Public Safety, which motion prevailed.

Mr. Thoreson requested an extension of time on Senate Bill No. 85, which extension was granted.

Mr. Godwin moved that the House reconsider the vote by which it accepted the Conference Committee report on House Bill No. 40, which motion prevailed.

Mr. Godwin moved that the House do not accept the Conference Committee report on House Bill No. 40, and that the Speaker appoint a Conference Committee to confer with a like committee from the Senate. The motion prevailed and the Speaker appointed to such Conference Committee Representatives Niewoehner, Saumur and Symington.

#### FIFTH ORDER OF BUSINESS

##### REPORTS OF STANDING COMMITTEES

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

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 "for", strike out the word "register" and insert in lieu thereof the word "registered".

In line 2, Section 1 after the word "substitute" and before the word "may", insert the following words: "unregistered Bonds under the provisions of this Act. The owner or assignee".

Section 1, at the end of line 2 after the word "bonds" and

before the word "the", strike the word "of" and insert in lieu thereof the word "to".

In line 15, Section 1 after the word "this" and before the word "day", insert a blank. In line 16 after the word "notation" and before the word "date", strike out the letters "othe" and insert in lieu thereof the words "of the".

In Section 1, line 31, correct the spelling of the word "negotiable".

In Section 1, line 32 after the word "original", add the word "bond" and strike out the following words: "bonds prior to registration" which appear in line 32.

And when so amended recommend the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the House return to the Thirteenth Order of Business, and that immediately upon the completion of such order of business the House stand recessed until 12:30 P. M., which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 13. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening or Establishment of Stores in This State, Prescribing the License and Filing Fees to Be Paid Therefor, and the Disposition Thereof, and the Powers and Duties of the State Tax Commissioner in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Was read the first time referred to the Committee on State Affairs.

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appoint-

ment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons to Positions in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Was read the first time and referred to the Committee on Public Health.

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Was read the first time and referred to the Committee on Banks and Banking.

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year

1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; 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 Judiciary.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 168. A Bill for an Act to Create, Define and Establish "Airmen's Association of the State of North Dakota," Providing for the Creation of a Fund for the Use of Said Association to be Known as "Airmen's Aviation Fund."

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 76. 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.

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Pro-

viding for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. 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 Agriculture.

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Was read the first time and referred to the Committee on Banks and Banking.

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Was read the first time and referred to the Committee on Agriculture.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the



Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Sub-section 19 of Section 3861 of the Compiled Laws of North Dakota for the Year 1913, Relating to Penalties Imposed for Violation of Village Ordinances; and Declaring an Emergency.

Was read the first time and referred to the Committee on Corporations other than Municipal.

Senate Bill No. 195. A Bill for an Act to Rid the State of a Public Nuisance, Namely Irresponsible Collectors or Collection Agencies who Themselves are Operating Without Sufficient Funds and Who are Unable to Pay their Own Obligations, Yet Who Continually Persist in Cluttering Up the Courts With Garnishment and Attachment Actions, Causing Many Worthy Individuals with Large Families to Support, to Lose Their Jobs by Useless Litigation.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 196. A Bill for an Act to Amend Section 6 of Chapter 85 of the Session Laws for the Year 1929, Relating to the Licensing of Airmen and Aircraft; Making Violation Thereof a Misdemeanor, and Providing the Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring This Act to Be an Emergency Measure.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 2133 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Township Board of Review, Complaints and Grievances With Reference Thereto, and Providing for an Appeal to the Board of County Commissioners, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 205. A Bill for an Act Empowering the State Public Health Advisory Council to Make, Amend, Re-

peal and Suspend Public Health Regulations Concerning the Production, Transportation, Processing, Handling, Sampling, Examination, Grading, Labeling, Regrading, and Sale of Milk and Milk Products, the Inspection of Health Certificates on Dairy Herds, Dairies and Milk Plants.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 158, Session Laws of 1933, Relating to Foreclosure of Mortgages by Advertisement.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 214. A Bill for an Act to Amend and Re-enact Section 3314a6 of the Supplement to the Compiled Laws of 1913, Providing that all Expenditures Must Conform to the County Budget as Adopted; Providing that no Bill Incurred in Excess of Any Budget Item May be Paid or Included in Any Succeeding Appropriation or Budget, and Defining Duties of County Auditor.

Was read the first time and referred to the Committee on Counties.

Senate Bill No. 218. A Bill for an Act Providing for the Payment of a Bounty on Crows.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 227. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association; Providing for the Creation of the Board of Managers and Defining Its Powers, Duties, and Qualifications to Such Board; Providing for the Appointment of an Auditor and for the Filling of Vacancies on Such Board; Providing for Removal of Members of Such Board; Providing for the Organization of Such Board and the Matter of Conducting Business; Providing

Procedure in Actions Brought Against Such Association; Providing for Employees and Bonds; Providing for Examination by the State Examiner and Repealing Chapter 268 of Session Laws of 1931 and Chapter 193 of the Session Laws of 1933.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 231. A Bill for an Act Providing for the Abolition of the Office of Common School District Treasurer Upon Majority Vote at Annual School Elections.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 959 of the Supplement to the Compiled Laws of 1913 Relating to Election Ballots.

Was read the first time and referred to the Committee on Election and Election Privileges.

#### SENATE CONCURRENT RESOLUTION "H".

Was read the first time and referred to the Committee on State Affairs.

#### SENATE CONCURRENT RESOLUTION "O".

Was read the first time and referred to the Committee on State Affairs.

#### SENATE CONCURRENT RESOLUTION "P".

Was read the first time and referred to the Committee on School and Public Lands.

### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: M. J. Kostenko, Max; Adolph Olson, Max; Capt. Bernard Monnes, Arnold Alger, James Eide, Fred Gran, Dennis Huntley, Chet Anderson, Roger Herigstad, Frank Foster, Verle Fawbush, Conrad Borreson, H. L. Robertson, coach, Dr. R. E. Dyson, Minot High School basketball team; Floyd Lavelle, Fargo; W. H. Mekepoff, Wishek; R. L. Greiser, Wishek; Sigurd Nelson, Bismarck; W. E. Sherman, Minot; Mrs. McFadgen, Bismarck; Margaret Hoerner, Richardton; Wm. Stading, Wishek; C. V. Firuer, Bismarck; C. H. Lacomile, Jamestown; Ray Peterson, Watford City; Orville Hagen Arnegard.

The House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-SIXTH DAY AFTER RECESS AND  
FORTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

The House convened at 12:30 pursuant to recess. Speaker Dahl presiding.

FIFTH ORDER OF BUSINESS

REPORTS OF STANDING COMMITTEES

The Committee on Drainage and Irrigation made the following report:

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred:

House Bill No. 125. A Bill for an Act Providing for the Creation of the State Water Conservation Board; Prescribing Its Powers and Duties; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition of Property Necessary Therefor; Authorizing the Issuance of Water Conservation Revenue Bonds of the State Payable Solely from the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and From the Operation, Lease, Sale or Other Disposition of the Works, Property and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for a Lien Upon Bond Proceeds; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection With This Act; Providing for Contracts With the United States; Declaring That No Debt of the State Shall Be Incurred in the Exercise of Any of the Powers Granted by This Act; Providing for Purchase Condemnation; and Otherwise Acquiring Lands and Water Rights and For the Sale Thereof; Making an Appropriation; Repealing Conflicting Acts; and Declaring an Emergency.

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 provide for the creation, the powers, the duties, the authority and the jurisdiction of the State Water Conservation Commission; prescribing its powers and duties to investigate, plan, regulate, control, and supervise for all purposes of flood control, water conservation, water irrigation, water rights, and pollution of water, all public or private navigable or non-navigable, surface and sub-surface, waters, streams, lakes, ponds, water-courses, surface waters, run-off waters, and watersheds, located in or within the jurisdiction of the State of North Dakota and to exercise powers of contracting, of sale and of purchase, and of leasing and sub-leasing with respect thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and disposition of Property Necessary Therefor; Authorizing the Issuance and sale of State Water Conservation Revenue Bonds of the State, Payable from the Revenues of Such Works and the Funds Received from the Sale or Disposal of Water and From the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for exempting property of Commission from Taxation; providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for necessary help and expenses; providing for Contracts with the United States; with Political sub-divisions of the State, with Associations, groups, and persons, providing for Powers and Duties concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies acting Intra State, concerning water conservation, flood control and pollution of waters and providing duties of State Agencies concerning Inter-State Compacts with respect to Water Conservation, flood control and pollution of waters; Providing for the Collection and Payment of Moneys into said Fund and Disbursements Therefrom; for methods of paying principal and interest thereon by State Treasurer; Providing for levy of Tax, if necessary, to pay Principal and Interest of Revenue Bonds; and reimbursement of such levy, and to Provide that the State Water Conservation Commission may Mortgage Property; and Designating said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission concerning irrigation, the sale and lease of water, and water rights; to borrow monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. WATER CONSERVATION, FLOOD CON-

**TROL AND ABATEMENT OF STREAM POLLUTION DECLARED A PUBLIC PURPOSE.** It is hereby declared that the general welfare and the protection of the lives, health, property and the rights of all people of this State require that the conservation and control of water in this State, public or private, navigable or unnavigable, surface or, sub-surface, the control of floods, the regulation and prevention of water pollution involve and necessitate the exercise of the sovereign powers of this State and are affected with and concern a public purpose.

"It is hereby further declared that any and all exercises of sovereign powers of this State in investigating, constructing, maintaining, regulating, supervising, controlling any system of works involving the aforesaid subject matter embraces and concerns and is hereby declared to be a single object, and that the State Water Conservation Commission in the exercise of all powers conferred upon it herein, and in the performance of all its official duties, shall be considered and construed to be performing a governmental function pursuant to a single object and for the benefit, welfare and prosperity of all the people of this State.

"Section 2. **DEFINITIONS.** As used in this Act, the following words and terms shall have the following meanings:

"(a) The word "Commission" shall mean the State Water Conservation Commission hereinafter created.

"(b) The word "Works" shall be deemed to include all property, rights, easements, and franchises relating thereto and deemed necessary or convenient for their operation, and all water rights acquired or exercised by the Commission in connection with such works, and shall embrace all means of conserving and distributing water, including, without limiting the generality of the foregoing, reservoirs, dams, diversion canals, distributing canals, lateral ditches, pumping units, mains, pipelines and waterworks systems, and shall include all such works for the conservation, development, storage, distribution and utilization of water including, without limiting the generality of the foregoing, works for the purpose of irrigation, watering stock, supplying of water for public, domestic, industrial, recreational, fire protection and other uses and works, for the purpose of draining lands injured or in danger of injury as a result of such water utilization.

"(c) The term "Cost of Works" shall embrace the cost of construction, the cost of all lands, property, rights, water rights, easements and franchises acquired, which are deemed necessary for such construction, the cost of all water rights acquired or exercised by the Commission in connection with such works, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for a period not exceeding three (3) years after the completion of construction, cost of engineering and legal expenses, plans, specifications, surveys, estimates of cost, and other expenses necessary or incident to determining the

feasibility or practicability of any project, administrative expense, and such other expenses as may be necessary or incident to the financing herein authorized, and the construction of the works and the placing of the same in operation.

“(d) The word “Owner” shall include all individuals, associations, corporations, districts, municipalities and other political sub-divisions of the State having any title or interest in any properties, rights, water rights, easements or franchises to be acquired.

“(e) The word “Project” shall mean any one of the works hereinabove defined or any combination of such works which are physically connected or jointly managed and operated as a single unit.

“(f) In case any water rights shall be acquired or exercised by the Commission in connection with two or more works and/or projects, the Commission by resolution shall apportion or allocate to each of such works and/or projects such part of such water rights as it may determine, and upon the adoption of such a resolution, such water rights shall be deemed to be a part of each of such works and/or projects to the extent that such water rights have been so apportioned or allocated thereto respectively.

“Section 3. CREATION OF STATE WATER CONSERVATION COMMISSION. There is hereby created a Commission to be known as the “State Water Conservation Commission.” The Commission shall consist of the Governor, and six other members to be appointed by the Governor. Each appointive member shall be a qualified elector of the State and shall be subject to removal by the Governor, for cause. In case of death, the resignation, or removal of such appointive member, the vacancy shall be filled by appointment by the Governor. The Governor shall appoint two members for a term of two years; two members for a term of four years; and two members for a term of six years, ending July 1st in each of the years 1939, 1941, and 1943, inclusive. Thereafter each new member shall be appointed and serve for a term of six years. Before entering upon the discharge of his official duties, each appointive member shall take, subscribe, and file with the Secretary of State his oath prescribed by the Constitution for the fulfillment of his duties as Commissioner.

“The Governor shall be the Chairman of the Commission, which shall designate a Vice Chairman and a Secretary who may, but does not necessarily need be a member of the Commission.

“Section 4. MEETINGS OF THE COMMISSION. The Governor, as Chairman, shall preside at all meetings of the Commission and in case of his absence or disability, the Vice Chairman shall preside. The Commission shall maintain its principal office in the City of Bismarck and may maintain such branch offices in the State as it may determine. All meetings of the Commission shall be held at its principal office except that the Commission may hold

special meetings at such times, places, and upon such notice as it may by resolution provide.

"Notice of any meeting of the Commission may be given by telegram to members of the Commission at least 48 hours before the meeting, or by written notice sent to each member of the Commission at least three days before the meeting, but no notice shall be necessary for any member who has personally signed Admission of Notice and consent to holding the meeting. The majority of the members shall constitute a quorum, and the affirmative or negative vote of four members shall be necessary to bind the Commission, except for adjournments. The Chairman, or in his absence or disability, the Vice Chairman of the Commission may issue a call for any meeting at any time.

"Section 5. COMMISSION A BODY CORPORATE AND AGENCY OF STATE. There is hereby created a Commission to be known as the "State Water Conservation Commission" which shall act as a public corporation with all of the powers and authority possessed by such corporation in the performance of their duties. The Commission may sue and be sued, plead and be impleaded, and contract and be contracted with in its corporate name. The Commission in the exercise of all its powers and in the performance of all of its duties shall be deemed to be an agency of the State. The Commission shall have and adopt a seal bearing its name, which seal shall be affixed to such records and other instruments as it may direct, and all courts shall take judicial notice thereof. It shall have power and is authorized to adopt and enact all rules, regulations, resolutions and by-laws deemed suitable and necessary in the conduct of its business and the performance of its duties. It shall keep accurate minutes and record of all of its acts which at all reasonable times shall be open for public inspection and which it may cause to be published as it may deem desirable.

"Section 6. COMPENSATION AND EXPENSES OF COMMISSION. Each appointed member of the Commission shall receive, as compensation for his services the sum of Ten Dollars (\$10.00) per day for each day actually engaged in the performance of the duties of his office, including time of travel between his home and the place at which he performs such duties, together with actual traveling and maintenance expenses while away from his home in the performance of the duties of his office.

"Section 7. EMPLOYMENT OF NECESSARY HELP. The Commission is authorized and empowered to hire and employ all necessary aid, help, and assistance, including members of all of the professions, for the efficient performance of their powers and duties, and shall fix their compensation and allowances for their actual expenses, and in so doing the Commission shall be guided by the compensation and allowance for expenses permitted and made by the Federal Government for the performance of similar service by Federal employees and agencies. All claims for compensation and expenses made by the Commissioners, their agents, and employees, must be itemized as required by laws of this



State and must be presented to the State Auditor and allowed by the State Auditing Board, for payment. In all matters pertaining to water resources, water supply, and construction of reclamation projects, and in all other matters relating to the duties of the State Engineer as now provided by law, the State Engineer shall be the chief technical adviser of the Commission. The State Engineer shall exercise such powers and perform such duties, in addition to his regular duties as State Engineer, as the Commission shall direct or prescribe, and he shall receive and be paid such additional salary for such additional services as may be fair and reasonable to be fixed by the Commission.

"The Commission is authorized and directed to cooperate with the North Dakota State Planning Board and to employ such of the personnel of that Board as may be deemed desirable in the planning of projects for the efficient utilization of the waters of the State.

"SECTION 8. POWERS AND DUTIES OF THE COMMISSION. The Commission shall have and there is hereby vested in it full and complete power, authority and general jurisdiction:

(1) To investigate, plan, regulate, undertake, construct, establish, maintain, control and supervise all works, dams and projects, public and private, which in the judgment of the Commission may be necessary or advisable:

"(a) To control the low-water flow of the streams of the State.

"(b) To impound water for the improvement of municipal and rural water supplies.

"(c) To control and regulate flood flow in the streams of the State to minimize the damage of such flood waters.

"(d) To conserve and develop the waters within the natural watershed area of the State.

"(e) To improve the channels of the streams for more efficient transportation of the available water in the streams.

"(f) To provide sufficient water flow for the abatement of stream pollution.

"(g) To develop, by restoration and stabilization, the water areas of the State for recreation and wild life conservation.

"(h) To promote the maintenance of existing drainage channels in good agricultural lands and to construct any needed channels.

"(i) To provide more satisfactory sub-surface water supplies for the smaller towns of the State.

"(j) To improve the condition of water flow where advisable for the production of hydro-electric energy.

"(k) To generate and transmit hydro-electric energy to consumers.

"(l) To provide for the storage, development, diversion, delivery and distribution of water for the irrigation of agricultural land.

"(m) To provide for the drainage of lands injured by or susceptible of injury from the utilization of irrigation water.

"(n) To provide water for stock.

"(o) To provide water for mining and manufacturing purposes.

"(2) To define, declare and establish rules and regulations:

"(a) For the sale of waters and water rights to individuals, associations, corporations, and political sub-divisions of the State, and for the delivery of water to users.

"(b) For the full and complete supervision, regulation and control of the water supplies within the State.

"(c) For the complete supervision and control of acts tending to pollute water courses, for the protection of the health and safety of the people of the State.

"(d) For the transmission, sale and distribution of electrical power incidental to the construction, establishment and maintenance of private and public works.

"(3) To exercise full power and control of the construction, operation and maintenance of works and collection of rates, charges and revenues realized therefrom.

"(4) To sell, lease and otherwise distribute all waters which may be developed, impounded and diverted by the Commission under the provisions of this Act for the purpose of irrigation, development of power, watering of livestock and for any other private or public use.

"(5) To exercise all rights, power and authority, express and implied, that may be necessary and to do, perform and carry out all of the expressed purposes of this Act and of all purposes reasonably implied incidental thereto or lawfully connected therewith.

"In planning and constructing irrigation projects it shall be the policy of the commission to give preference to the individual farmer or groups of farmers or irrigation districts who intend to farm the land themselves.

"It shall be the duty of the Commission to keep full and complete accounts and records of all matters and things relating to works and projects undertaken, established and maintained by the Commission; to prepare annual balance sheets, income, and profit and loss statements, showing the financial condition of each project, and to life copies thereof with the Secretary of State for public inspection at all reasonable times by any interested parties or citizens of the State.

"Upon application by any landowner, or holder of any easement, or holder of any lease of five or more years duration, or of any group or association of such landowners, easement holders, or leaseholders, the Commission shall make such preliminary engineering, soil survey and other investigations as may be necessary to determine the feasibility of any proposed project, provided that such applicant submits, with his application, such fees as the Commission shall establish for projects of different classes.

"Following such preliminary survey and upon further application by the applicant or applicants aforesaid, the Commission shall enter into a contract with such applicant or applicants for a complete engineering, soil survey and other investigations of said project, the soil survey to meet such standards as are now or may hereafter be prescribed by the Bureau of Chemistry and Soils of the Federal Government and/or the North Dakota Agricultural College, and the engineering survey to be of sufficient detail and quality to enable the applicant to comply with the requirements now made, or which may hereafter be made, for obtaining a permit to appropriate water, and which will enable any competent contractor to estimate costs and quantities of material needed within reasonable limits and to install such project without further engineering service.

"The contract for such engineering service between the applicant and the Commission shall require the Commission to pay not more than 75 per cent of the cost of such detailed engineering survey and the drawing of the necessary plans and specifications, with not less than 25 per cent to be paid by the applicant.

"In any irrigation project undertaken by the Commission serving a single individual, or a group of individuals owning irrigable lands which in the aggregate shall not exceed 120 acres, the works of the Commission may include preparation of the land for irrigation.

"Section 9. No dam exceeding ten (10) feet in maximum height, or capable of impounding more than thirty (30) acre-feet of water, shall be constructed in the State, either in a watercourse or elsewhere, without the prior written approval of the Commission. Before granting such approval the Commission shall require the person or organization proposing to construct such dam to file plans and specifications satisfactory to the State Engineer. The State Engineer may inspect such work during construction and require any changes necessary to insure its safety and the safety of life and property.

"No sewage disposal plant or works for the water supply of any municipality shall be constructed without the prior approval of the Commission, which shall be granted only upon the approval of the State Health Department; provided, however, that nothing in this section shall be construed as repealing or affecting any of the laws of this State relating to the functions of the State Health Department.

"The provisions of this section shall not apply to any works constructed by or under the supervision of the United States or any of its officers or employees.

**Section 10. ACQUISITION OF NECESSARY PROPERTY AND POWER OF CONDEMNATION.**

"The Commission shall have full power and authority:

"(1) To acquire by purchase or exchange, upon such terms and conditions as it may deem necessary and proper, and/or by condemnation in accordance with and subject to the provisions of all existing laws applicable to the condemnation of property for public use, any lands, rights, water rights of whatever character, easements, franchise and other property deemed necessary or proper for the construction, operation and maintenance of works. Provided, that nothing herein shall be construed to require the Commission, in condemning any riparian water right, to condemn also the riparian land to which such right may be incident. The title to all property purchased, acquired or condemned shall be taken in the name of the Commission and held in trust for, and for the use and benefit of the people of the State.

"(2) To institute, maintain and prosecute to final determination in any of the Courts of this or any other State, or in any of the Federal Courts, any and all actions, suits and special proceedings that may be necessary:

"(a) To enable it to acquire, own and hold title to lands for dam sites, reservoir sites, water rights, easements, rights-of-way for diversion and distributing canals, lateral ditches and other means for the distribution of waters in this State, and for any other necessary purposes.

"(b) To adjudicate all water rights upon any stream, water course, or source of water supply from which is derived the waters for such reservoir, diversion and distributing canals, lateral ditches and other means of distribution.

"(c) To join any and all owners of vested water rights acquired by any person, association or corporation, so that adjudication may be had of all surplus water upon all of the water courses and sources, water supplies or any projects constructed under the supervision and control of the Commission.

"(d) To join all persons interested, as parties, in all actions or condemnation proceedings effecting the title of or holding liens upon the property sought to be acquired as disclosed by the public records and the Court in such actions or special proceedings shall implead all parties necessary for a full and final determination of all issues, upon their merits, for the partition and distribution of damages awarded, if any, among such persons in such interests as their rights are made to appear or determined. In the event of controversy between such parties the Court may direct the amount of damages awarded to

be paid in or deposited with the Clerk of Court to abide the result of further appropriate proceedings either in law or in equity. The taking possession of property sought to be condemned shall not be delayed by reason of any dispute between rival claimants or the failure to join any of them as parties to such actions or condemnation proceedings.

**"Section 11. COOPERATION AND COORDINATION WITH ALL EXISTING AGENCIES.** The State Water Conservation Commission is hereby authorized and empowered to investigate, plan, cooperate and make all contracts or compacts necessary or requisite:

"(1) With the United States and any department, agency or officer thereof; (2) With the States of Minnesota, South Dakota and Montana, or any one of them, and with any department, agency or officer of any said State; (3) With the Dominion of Canada or any of its Provinces and, (4) With any other agency or department or officer of either of them, who may be concerned, or authorized, empowered and covering or involving water conservation, flood control, water pollution, irrigation, soil reclamation, or concerned with any of the powers or duties by this Act imposed upon the Commission for any of the purposes expressed herein.

"This power herewith so granted shall extend to all waters, whether considered as intrastate or interstate. The Water Commission is specially authorized and empowered to cooperate with the United States or any of its agencies concerned with investigating, planning, conserving, utilizing, developing, and handling water in any form for purposes of water conservation, flood control, prevention of water pollution, or soil reclamation, or with any other resources of the State, and concerned with the administration of the Public Works Program of the State or any part thereof; and it is further authorized to act and to fully contract with the United States, or with any department, agency or officer thereof, with full power of purchase, sale, or lease for carrying out, developing, or administering any Federal project within the State of North Dakota, or partly within the State, and also to accept and to use any funds provided by the United States or any agency thereof for any such purposes.

**"Section 12. DUTIES OF STATE AGENCIES ACTING THROUGH INTERSTATE COMPACTS OR AGREEMENTS.** Every State officer, department, board, and commission heretofore or hereafter authorized by any law of this State to act upon or be concerned with any interstate commission or involving any interstate compact or upon any foreign commission involving any foreign compact, or with any Federal agency or department of the United States, the subject matter of which in any way concerns or involves water conservation, flood control, irrigation, water pollution or contamination, or the exercise of the powers and duties herein granted to the Commission, shall first submit to the Commission its plans, purposes, and contemplated action and

receive the approval of the Commission therefor before making any agreement, contract, purchase or sale, or lease, for any of said purposes. The Commission is authorized and empowered to give its aid and assistance to any State agency so acting with respect to any interstate compact including the Tri-State Waters Commission.

"Section 13. DUTIES OF STATE AGENCIES CONCERNED WITH INTRASTATE USE OR DISPOSITION OF WATERS. It shall be the duty of every State officer, department, board, and commission heretofore or hereafter authorized by any law of this State, to take any action, perform any duties, or make any contract which concerns the use or disposition of waters, or water rights, within this State to first submit to the Commission any plans, purposes and contemplated action with respect to the use or disposition of such waters, and thereupon first receive the consent and approval of the Commission before making any agreement, contract, purchase, sale, or lease to carry into execution any works or projects authorized under this Act.

"Section 14. DUTIES OF PRIVATE PERSONS, AGENCIES AND ORGANIZATIONS.

"It shall be the duty of any and all persons, including corporations, voluntary organizations, and associations, when concerned with any agreement, contract, sale, or purchase, or the construction of any works or project which involves the use and disposition of any water, or water rights under the jurisdiction of the Commission, to present to the Commission all proposals with respect to the use or disposition of any such waters before making any agreement, contract, purchase, sale, or lease in respect thereof.

"Section 15. SPECIAL POWERS OF COMMISSION COVERING PLANS AND APPROPRIATIONS OF WATER AND IRRIGATION. The Water Conservation Commission is herewith empowered and authorized to make plans, investigations, and surveys concerning the use of any and all waters, either within or without this State, for purposes of establishing, maintaining, operating, controlling, and regulating systems of irrigation works and projects in connection therewith within the State. The Commission shall have all necessary powers of purchasing and selling, leasing and assigning, rights and interests in the use or in the appropriation of waters concerned with such systems of irrigation projects or works in connection therewith and shall possess full authority and jurisdiction to exercise and assert actual possession over the corpus of all of such waters, and to secure control and regulation of the diversion thereof subject to rules and regulations and methods prescribed by the Commission. This power and authority shall include full right to contract and agree with any person, association, or agency concerning water rights possessed by them through which the Commission may be given full authority and jurisdiction over such water and water rights. In connection therewith the Commission may coordinate, subordinate, supplement and act jointly or subordinately with the United

States and any federal agencies or department thereof covering or concerning any federal project affecting water use, works or projects in connection therewith.

"Section 16. It is hereby declared that the Commission shall have full control over all public waters of the State now unappropriated, whether above or under the ground, to the extent necessary to fulfill the purposes of this Act.

"In acquiring the rights and administering the terms of this Act herein prescribed and established, the Commission shall not be limited to the terms of the statutes of the State of North Dakota relating to water rights heretofore enacted; but, in addition thereto, may initiate a right to the waters of this State by executing a declaration in writing of the intention to store, divert, or control the unappropriated waters of a particular body, stream, or source, designating and describing in general terms such waters claimed, means of appropriation and location of use, and cause said notice to be filed in the office of the State Engineer, which right shall vest in such Commission on the date of the filing of such declaration. The Commission shall also file in the office of the State Engineer copies of its plans and specifications involved in completing all appropriations of water.

"The priority of right shall date and continue from the time of such filing or recording, provided, the means of actual appropriation shall be commenced by actual work of construction within two (2) years from the date of original recording. Change in means or place of diversion or control shall not affect the right of priority, if others are not thereby injured.

"It shall be the duty of the Commission, if it shall modify its plans in connection with any proposed project, concerning which the Commission shall have filed a declaration of intention to appropriate waters, to file in the office of the State Engineer a declaration releasing all or part of the waters affected by such declaration.

"Upon completing the construction of works and application to beneficial use of the waters described in such declaration, the Commission shall file in the office of the State Engineer a declaration of completion of the appropriation, reciting the matters contained in the original declaration of intention to appropriate.

"A certified copy of the record of such declaration of intention to appropriate, or of release of all or part of said waters, or of completion of appropriation, shall be received as competent evidence in all courts and deemed to be prima facie proof of all matters therein recited.

"Section 17. The right of the Commission to the waters within the State of North Dakota so acquired as hereinbefore provided for the purposes defined in this Act shall attach at and from their source and while flowing in the streams, traveling to the means of control as well as when actually confined by such means. The authority and jurisdiction of

the Commission shall continue over said waters after they are released for purposes of use and shall continue to such places of use, and the Commission through and by officers and agents acting under its authority may continue to exercise and assert actual possession over the corpus of such waters and prevent the diversion thereof without permission first obtained. The Commission may reclaim and possess all waters furnished or supplied by it seeping or overflowing from the previous place of use.

"Section 18. Wherever natural streams are employed as a means of diversion of water from the place of confinement to the place of use, the Commission shall adopt proper methods and means of determining the natural flow of such streams when the amount of such natural flow is insufficient to satisfy or fill the needs of appropriators prior in right.

"All appropriators of the natural flow of said streams shall maintain headgates and measuring devices at their respective points of diversion for the purpose of enabling the Commission or its authorized agents to determine the amount of water being diverted at any time, and authority is hereby conferred upon the Commission to adopt and exercise any method or act to prevent the diversion of any waters owned by it without permission first obtained.

"Any person owning a water right on said stream may agree with the Commission that it shall have control of the diversion of the waters due under such right, and, in such event, the Commission through its officers and agents may exercise the same authority over the waters due said appropriator and cause them to be delivered to him in the same manner as waters appropriated by the Commission.

"Section 19. For that purpose of obtaining financial aid from the United States of America, the Commission may adjust the plans and operation of any project, created under this Act, to conform to the laws and regulations of the Federal Government and the supervision of any board, bureau or commission constituted under such authority, and may exercise such powers whenever conferred.

"Section 20. The authority of the Commission conferred by the provisions of this Act shall extend and be applied to any and all rights to the natural flow of the waters of this State which it may acquire by condemnation, purchase, exchange, appropriation or agreement.

"For the purpose of regulating the diversion of such waters, the Commission may enter upon the means and place of use of all appropriators for making surveys of respective rights and seasonal needs.

"The Commission shall take into consideration the decrees of the Courts of this State having jurisdiction, which purport to adjudicate the waters of any such stream or its tributaries, and a fair, reasonable, equitable reconciliation shall be made between the claimants asserting rights under different decrees and between decreed rights and asserted rights of appropriation not adjudicated by any Court.



"The Commission, at its descretion, may hold hearings relating to the rights of respective claimants after first giving such notice as it deems appropriate, and make findings of the date and quantity of appropriation and use of all claimants, which the Commission shall recognize and observe in diverting the waters which it owns. The Commission may police and distribute to the owner of any such recognized appropriation the waters due him upon request of such owner and under terms agreed upon.

"The Commission, when engaged in controlling and diverting the natural flow of any stream under the authority granted by this Act, shall be deemed to be exercising a police power of the State of North Dakota, and water commissioners appointed by any Court shall not have any authority or jurisdiction to deprive the Commission of any of the waters owned or administered under agreement with respective owners, provided the owner of any prior or vested right contending that the Commission is not recognizing and respecting such right may resort to a Court of Law or Equity for the purpose of determining whether or not the rights of said claimant have been invaded and the Commission shall observe the terms of such final decree.

"On the Commission's impounding or acquiring the right of appropriation of the waters of any stream, it may divert or authorize the diversion at any point on said stream, or any portion thereof, when the same may be done without injury to any prior appropriator or riparian owner whose rights shall not have been acquired by the Commission as provided in this Act.

"Nothing herein contained shall repeal, amend, or modify any existing Acts or statutes pertaining to the appropriation or use of water except as herein otherwise provided, and nothing herein contained shall be deemed to interfere with any vested rights to the use of water.

"Section 21. WATER CONSERVATION REVENUE BONDS.) The Commission is hereby authorized to provide, by resolution, at one time or from time to time, for the issuance of Water Conservation Revenue Bonds of the state not exceeding a total of three million dollars for the purpose of paying the cost as hereinabove defined of any one or more such public works, the principal and interest of which bonds shall be payable from the special fund herein provided for such payment. Such bonds shall mature at such time, or times, either serially or at one time, in not more than thirty (30) years from their date, or dates, as may be fixed by such resolution, but may be made callable before maturity, if so stated in the resolution and on the face of each bond, at 105 per cent of the par value, on any interest paying date; upon thirty days notice, which shall be published once in a newspaper of general circulation in Burleigh County. The Board shall determine the rate of interest such bonds shall bear, not exceeding five per centum (5%) per annum, the time, or times, of payment of such interest, the form of the bonds and the interest coupons to be attached thereto; and the manner of executing the bonds and coupons, and shall fix the denomination, or denominations,

of the bonds and the place, or places, of payment of principal and interest thereof, which may be at any bank or trust company within or without the state. All bonds issued under this Act shall contain a statement on their face that the state shall be obligated to pay the same or the interest thereon if and when the monies in the Revenue Bond Payment Fund shall be insufficient for the payment thereof. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until such delivery. All such bonds shall be and shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the State. Such bonds shall be secured by the revenues of such works and the funds received from the sale or disposal of water and from the operation, lease, sale or other disposition of the works, property and facilities to be acquired out of the proceeds of such bonds and as hereinafter provided.

"Provisions may be made for the registration of any of the bonds in the name of the owner as to principal alone or as to both principal and interest. The bonds authorized under the provisions of this Act may be issued and sold from time to time, and in such amounts as may be determined by the Commission and the Commission may sell the bonds in such manner and for such price as it may determine to be for the best interests of the state, but no such sale shall be made for less than par value of each bond. The proceeds of such bonds shall be used solely for the payment of the cost of the works and shall be checked out in such manner and under such restrictions, if any, as the Commission may provide. Prior to the preparation of definitive bonds, the Commission may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. Such bonds may be issued without any other proceedings or the happenings of any other conditions or things than those proceedings, conditions and things which are specified and required by this Act or by the Constitution of the State.

"Each resolution providing for the issuance of bonds shall set forth the project or projects for which the bonds are to be issued, and the bonds authorized by each such resolution shall constitute a separate series. The bonds of each series shall be identified by a series of letter or letters, and may be sold and delivered at one time or from time to time.

"SECTION 22. LIEN UPON BOND PROCEEDS.) All moneys received from any bonds issued pursuant to this Act shall be placed in the Construction Fund and applied solely to the payment of the cost of the works and there shall be and hereby is created and granted a lien upon such moneys until so applied, in favor of the holders of the bonds or the Trustee hereinafter provided for in respect of such bonds.

"SECTION 23. TRUST INDENTURE, RESOLUTION AND COVENANTS OF COMMISSION.) In the discretion of the Commission any series of such bonds may be secured by a

trust indenture by and between the Commission and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or outside of the State. Each trust indenture or an executed counterpart thereof shall be filed in the office of the Secretary of State of North Dakota. The filing of a trust indenture or an executed counterpart thereof in the office of the Register of Deeds of the County in which the property covered by said trust indenture is located shall constitute constructive notice of the contents thereof to all persons from the time of such filing and no recording of such trust indenture or the contents thereof shall be necessary.

"Either the resolution providing for the issuance of bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper, not in violation of law, including covenants setting forth the duties of the State and the commission in relation to the acquisition, construction, improvement, maintenance, operation, repair, and insurance of the works, the custody, safeguarding and application of all moneys, and may provide that the works shall be acquired, constructed, or partly acquired and partly constructed and paid for under the supervision and approval of consulting engineers employed or designated by the Commission and satisfactory to the original purchasers of the bonds issued therefor, their successors, assigns, or nominees, who may be given the right to require that security given by contractors and by any depositary of the proceeds of the bonds or receipts and revenues of the works, or other moneys pertaining thereto, shall be satisfactory to such purchasers, successors, assigns, or nominees. Such resolution or indenture may set forth the rights and remedies of the bondholders and trustee, restricting the individual rights of action of bondholders as is customary in trust indentures, deeds of trust and mortgages securing bonds and/or debentures of corporations. No enumeration of particular powers hereby granted shall be construed to impair any general grant of power herein contained. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of the works affected by such indenture.

"In connection with the issuance of any such bonds for the purpose of paying in whole, or as supplemented by a grant as aforesaid from the United States of America or any instrumentality or agency thereof, the cost of any works or project, or in order to secure the payment of such bonds, the Commission shall have power:

"(a) To pledge all or any part of the income, profit and revenue of such works or project, and all moneys received from the sale or disposal of water, use of water, water storage, or other service, and from the operation, lease, sale or other disposition of all or any part of such works or project, and to covenant to pay such income, profit and revenue into the Revenue Bond Payment Fund.

"(b) To covenant against pledging all or any part of the income, profit and revenue of such works or project and all moneys received from the sale or disposal of water, use of

water, water storage, or other service, and from the operation, lease, sale or other disposition of all or any part of such works or project.

“(c) To covenant against mortgaging all or any part of such works or project, or against permitting or suffering any lien thereon.

“(d) To covenant to fix and establish such prices, rates and charges for water and other services made available in connection with such works or project so as to provide at all times funds which will be sufficient, (1) to pay all costs of operation and maintenance of such works or project together with necessary repairs thereto, and (2) to meet and pay the principal and interest of all such bonds as they severally become due and payable, and (3) to create such reserves for the principal and interest of all such bonds and for the meeting of contingencies in the operation and maintenance of such works or project as the Commission shall determine; and to make such further covenants as to such prices, rates and charges as the Commission shall determine.

“(e) To create special funds, in addition to those required by this Act, for the meeting of contingencies in the operation and maintenance of such works or project and to determine the manner in which, and the depository or depositories in which, such funds shall be deposited and the manner in which the same shall be secured, and it shall be lawful for any bank or trust company incorporated under the laws of the State to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the Commission on all deposits exceeding the sum of five thousand dollars.

“(f) To provide for the replacement of lost, destroyed, or mutilated bonds.

“(g) To covenant against extending the time for the payment of the principal or interest on any of such bonds, directly or indirectly by any means or in any manner.

“(h) To prescribe and covenant as to the events of default and terms and conditions upon which any or all of such bonds shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived.

“(i) To covenant as to the rights, liabilities, powers, and duties arising upon the breach by it of any covenant, condition, or obligation.

“(j) To vest in a trustee or trustees the right to enforce any covenant made to secure or to pay such bonds, or to foreclose any trust indenture in relation thereto, to provide for the powers and duties of such trustee or trustees, to limit the liabilities thereof, and to provide the terms and conditions upon which the trustee or trustees or the holders of bonds or any proportion of them may enforce any such covenant or exercise the right of foreclosure.

“(k) To make covenants and do any and all such acts and

things as may be necessary or convenient or desirable in order to secure such bonds, or, in the absolute discretion of the Commission to make such bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated or expressly authorized herein.

"(1) It being the intention hereof to give the Commission power to do all things in the issuance of such bonds, and in providing for their security that may not be inconsistent with the Constitution of North Dakota.

"SECTION 24. MORTGAGE OF COMMISSION.) In the discretion of the Commission any trust indenture executed by it as security for a series of such bonds may contain provisions for conveying in trust or mortgaging the works, the project, or any part of such works or project (including all water rights which are a part thereof), constructed with the proceeds of such bonds or with such proceeds as supplemented by the proceeds of a grant to aid in financing such construction from the United States of America or any instrumentality or agency thereof, and may be in such form, and with such rights, remedies and provisions as is customary in trust indentures, deeds of trust, and mortgages securing bonds and/or debentures of corporations. Any purchaser at any sale of any works or project pursuant to a judgment or decree in an action to foreclose a trust indenture conveying in trust or mortgaging any works or project shall obtain title to such works or project free from any trust or other obligation of the Commission, the State of North Dakota, or the public thereof, as to its operation, maintenance, use or disposition except the obligation to use all water impounded in such works or project for sale, rental, distribution, or other beneficial use.

"SECTION 25. FUNDS.) The Commission shall create three funds to be known as "Administration Fund", the "Construction Fund" and as the "Revenue Bond Payment Fund". The moneys in each such fund shall be deposited in such depository or depositories and secured in such manner as may be determined by the Commission. It shall be lawful for any bank or trust company incorporated under the laws of this State to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the Commission on all deposits exceeding the sum of five thousand dollars.

"The Commission shall establish a complete system of accounting to show--the total expenditure of and investment in each project and the total revenue derived therefrom and to prepare periodic reports giving the financial statement of each project and the status of all projects together.

"SECTION 26. CONSTRUCTION FUNDS.) The proceeds of the bonds of each series issued under the provisions of this Act shall be placed to the credit of the Construction Fund, which fund shall at all times be kept segregated and set apart from all other funds. There shall be also credited to the Construction Fund all accrued interest upon the bonds and the interest received upon the deposits of moneys in

such fund and moneys received by way of grant from the United States or from any other source for the construction of the works. The moneys in the Construction Fund shall be paid out or disbursed in such manner as may be determined by the Commission, subject to the provisions of this Act, to pay the costs of the works as hereinabove defined. Any surplus which may remain in the Construction Fund, after providing for the payment of the cost of the works, shall be added to and become a part of the Revenue Bond Payment Fund hereinafter provided for.

“SECTION 27. REVENUE BOND PAYMENT FUND.) To identify and distinguish the fund provided and available for the payment of the bonds issued pursuant to this Act and there is hereby created and established, as a part of the monies of this State received and kept by the State Treasurer, a fund to be designated the Revenue Bond Payment Fund. All monies received by the State Treasurer whether from payments made by the Commission or from Legislative appropriation or from the proceeds of taxes or otherwise, which shall be by law or by other authoritative designation made applicable to the payment of said bonds or interest thereon shall be kept by the State Treasurer in such fund distinct from all other monies and shall be disbursed by him only for the particular purpose or purposes for which such monies shall be delivered to him and no other appropriation shall ever be made of the monies in such fund until such bonds shall be fully paid.

“SECTION 28. APPROPRIATION TO PAY PRINCIPAL AND INTEREST OF REVENUE BONDS.) There is hereby appropriated all monies paid to the State Treasurer by the Commission for conversion into the Revenue Bond Payment Fund and all monies constituting the revenue Bond Payment Fund and all monies obtained as proceeds of taxes levied for payment into the Revenue Bond Payment Fund or so much thereof as may be necessary from time to time to pay the interest and the principal payment on such revenue bonds; and such appropriation is out of monies not otherwise appropriated and is irrespective of the provisions of the bill concerning the budget and whenever any of such revenue bonds, or any coupons thereon, being due, shall be presented for payment, the State Treasurer shall pay the same out of such fund applicable thereto.

“Section 29. The State Treasurer shall pay the interest on said bonds upon presentment to him of the coupons for such interest when due, and shall redeem such bonds upon their maturity by paying the principal thereof, all such payments to be made out of the Revenue Bond Payment Fund without Auditors warrant. All moneys in such fund, or so much thereof as may be necessary, is hereby appropriated for the payment of the interest and the principal of such bonds, and this appropriation shall not be repealed, and no provisions made in this Act for the payment of said bonds and interest shall be discontinued until the debt evidenced by said bonds, both principal and interest shall have been paid.

"Section 30. If at the time of the annual meeting of the State Equalization Board, the moneys in the Revenue Bond Payment shall appear to the State Treasurer to be insufficient to meet the payment of interest or principal upon said bonds accruing within a period of one year thereafter, he shall so inform the State Board of Equalization, which shall thereupon proceed to include in the annual tax levy, such tax as in its judgment shall be necessary to meet the indicated deficiency, and the proceeds of such tax shall be placed by the State Treasurer in the Revenue Bond Payment Fund created herein.

"Wherever any surplus funds are available in the Revenue Bond Payment Fund, then the Commission shall cover into the General State Fund the amount, or any part thereof, contributed by tax levy toward the payment of the principal and interest of such Revenue Bonds as and for a replacement thereof.

"Section 31. COMMISSION AUTHORIZED TO BORROW MONEY. The Commission is hereby authorized and empowered to borrow monies for temporary use from the Bank of North Dakota or any other Bank not to exceed the sum of \$300,000, and for said purpose may execute and deliver its notes or other evidences of indebtedness.

"Section 32. All the property of the Commission shall be exempt from taxation.

"Section 33. APPROPRIATION. There is hereby created a special fund to be known as 'Administration Fund,' into which there is hereby appropriated out of any money in the Treasury of the State, not otherwise appropriated, the sum of Five Hundred Thousand Dollars (\$500,000); provided, however, that such appropriation shall be deemed and held valid notwithstanding the provisions of the Budget Act. All general administrative expenses of the Commission, the compensation and expenses of its employees, and the cost of investigations, planning, surveying, as authorized by this Act, shall be paid from the Administration Fund and also the cost of all preliminary work on any project and all expenses directly chargeable to such project, prior to the receipt of the proceeds of bonds, shall be paid from the Administrative Fund. The amount of all such expenses on account of any project and such part of the general administrative expenses of the Commission, its employees and of the cost of investigation as shall be properly chargeable, in the opinion of the Commission to such projects, shall be reimbursed to the Administration Fund upon the receipt of the proceeds of Revenue bonds issued and sold pursuant to this Act. No liability or obligation shall be incurred under the provisions of this Act beyond the extent to which money shall have been provided under its authority.

"The Commission shall have authority to receive and accept appropriations and contributions from any source of either money or property or other things of value, to be held, used, and applied for the purposes in this Act provided.

"Section 34. ACT LIBERALLY CONSTRUED. This

Act, being necessary for the welfare of the State and its citizens, shall be liberally construed to effect the purposes hereof.

"Section 35. PROVISIONS OF THIS ACT SERVABLE. The sections and provisions of this Act are severable and are not matters of mutual essential inducement, and it is the intention to confer the whole or any part of the powers herein provided for, and if any section or provisions or part thereof is for any reason held to be unconstitutional, void or inoperative, it is the intention that the remaining sections and provisions and parts thereof shall remain in full force and effect.

"Section 36. REPEAL. All Acts, or parts of Acts in conflict herewith, are hereby repealed.

"Section 37. EMERGENCY. Because of the inability of thousands of citizens throughout the State to find employment and to support themselves and their families in the present depression, and because of serious crop failures, and health hazards, resulting from unprecedented drought conditions, it is necessary to proceed immediately with the construction of the works authorized by this Act in order to create employment, assist the growing crops and prevent irrepealable injury to the people of the State. An emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

M. D. GRAHAM,  
Chairman.

Mr. Bieloh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf: I move that the rules be suspended and that House Bill No. 125 be put in General Orders for today.

Which motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 100. A Bill for an Act Authorizing and



Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### GENERAL ORDERS

Mr. Wolf moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Wolf to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 280. A Bill for an Act Amending Subdivision U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

And recommend that the same be re-referred to the Committee on Banks and Banking.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

And recommend that action be deferred.

Also,

House Bill No. 125. A Bill for an Act Providing for the Creation of the State Water Conservation Board; Prescribing Its Powers and Duties; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition of Property Necessary Therefor; Authorizing the Issuance of Water Conservation Revenue Bonds of the State Payable Solely from the Revenues

of Such Works and the Funds Received From the Sale or Disposal of Water and From the Operation, Lease, Sale or Other Disposition of the Works, Property and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for a Lien Upon Bond Proceeds; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection With This Act; Providing for Contracts With the United States; Declaring That No Debt of the State Shall Be Incurred in the Exercise of Any of the Powers Granted by This Act; Providing for Purchase Condemnation; and Otherwise Acquiring Lands and Water Rights and For the Sale Thereof; Making an Appropriation; Repealing Conflicting Acts; and Declaring an Emergency.

And recommend that action be deferred.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

And make no recommendations.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Make, Brand or Name.

And recommend the adoption of the standing committee's amendments as follows:

In line 3 on page 1 of the printed bill, strike out the word "of" following the word "producer" and insert in lieu thereof the word "or".

In line 13 on page 2 of the printed bill following the word "such" insert the word "vendor or by such".

And when so amended recommend the same do pass.

Also,

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 12, 15, 26 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927 Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, the Qualification of Applicants for Examinations, Certificates and Fees, and to Provide Penalties for Violation Thereof.

And recommend the adoption of the Standing Committee's amendments as follows:

Section 1, Division E, page 31, line 44, after the word "shop", remove the comma and add: "or now holds a license for hairdressing or cosmetologist in this State".

On page 4, Section 4, line 27, after the word "hairdresser" remove the word "or" and insert the word "and".

On page 2, line 12, Sub-division E of the printed bill, change after the word "hairdressing" by removing the word "or" and insert in lieu thereof the word "and".

On page 4, strike out all of Section "(c)" and re-letter Section "(d)" and "(e)" to read "(c)" and "(d)".

On page 5, Section 3, line 9 after the word "experience" insert in lieu thereof the words "in North Dakota".

On page 7, Section 4, line 18, strike out "register" and insert in lieu thereof the word "recognized".

On page 7, line 32, strike out the word "annual".

On page 8, Section 4, after Subdivision E, add Subdivision "F", as follows: "All hairdressing and cosmetology shops in the State must be registered annually as such with the State Board under such rules and regulations as prescribed by the said board".

On page 8, Section 15, line 10, strike out the words "president and secretary" and insert in lieu thereof the words "board members".

And the further amendments:

Amend the committee report by correcting the first amendment to show "Page 3" instead of "Page 31".

Change the third amendment to read "Sub-division C" instead of "Sub-division E".

Change the fifth amendment by striking out the words "in lieu thereof".

Change the seventh amendment by striking out the word "annual" and inserting the word "annually" in lieu thereof.

Strike out the ninth amendment on the committee report.

Strike out the fourth amendment of the committee report.

On page 5, line 37 of the printed bill after the word "instructors", insert the following: "and it is expressly provided that no school of hairdressing or cosmetology shall make any charge for any services or material which is covered and included within the practice of hairdressing or cosmetology, and which may be rendered by any student in such school".

And when so amended, recommend the same do pass.

Also,

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 2618, Compiled Laws of North Dakota for the Year 1913, and Chapter 140 of the Sessions Laws of North Dakota for the Year 1919, Relating to the Herd Law and How the Same May Be Established and Suspended and Pro-

viding That All Herd Laws Heretofore Established Shall Be Suspended.

And recommend the adoption of the standing committee's amendments as follows:

In Sec. 1, line 19, of the original bill which is line 22 of the printed bill, after the word "declare" insert the word "by", also in line 24 of original bill strike out the word "State" and insert the word "date".

Also in line 29 of the original bill, which is line 34 of printed bill, strike out the word "voerts" and insert the word "votes".

And when so amended recommend the same do pass.

Also,

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2766 of the Compiled Laws of North Dakota in 1913; Providing for Examination of Stallions by Qualified Veterinarian Under the Employment of the Stallion Registration Board Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything after the word "A Bill" and amend to read as follows:

#### A BILL

For an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. AMENDMENT.) That Section 2763 of the Compiled Laws of North Dakota for the Year 1913 be and is hereby amended and re-enacted to read as follows:

SECTION 2763 LICENSE. DEFINITION.) No person, firm, company or corporation shall stand or travel for profit or gain any stallion or jack to be mated with any mare other than mares owned by the owner of such stallion or jack, or sell, offer for sale, exchange or transfer, any stallion or jack to be used for the above purpose, unless and until the owner of such stallion or jack shall have caused the name, description, and pedigree of such stallion or jack to be enrolled by the Stallion Registration Board.

The word "Stallion" wherever used in this article shall be construed to include the term "Jack" as well.

SECTION 2. AMENDMENT.) That Section 2764 of the Compiled Laws of North Dakota for the Year 1913 be and is hereby amended and re-enacted to read as follows:

**SECTION 2764. STALLION REGISTRATION BOARD, HOW COMPOSED, DUTIES, COMPENSATION.)** In order to carry out the provisions of this Act the North Dakota Livestock Sanitary Board shall have direct supervision of the duties of the North Dakota Stallion Registration Board, whose duties it shall be to verify and register all pedigrees, and to provide the necessary inspection; to issue stallion license certificates; to make all necessary rules and regulations, and to perform such other duties as may be necessary to carry out the provisions of this Act.

All records, files, supplies, and funds which have accumulated under the provisions of Chapter 161 of the 1909 Session Laws of the State of North Dakota shall be transferred and delivered to the Secretary and Executive Officer of the Stallion Registration Board, State Capitol Building, Bismarck, North Dakota, immediately after the passage and approval of this Act.

The North Dakota Stallion Registration Board shall be composed of the President of the North Dakota Livestock Sanitary Board, the President of the North Dakota Livestock Breeders' Association, the North Dakota Commissioner of Agriculture, the Professor of Veterinary Science of the North Dakota Agricultural College, and the Executive Officer and State Veterinarian of the North Dakota Livestock Sanitary Board, who shall be ex-officio secretary and executive officer of the North Dakota Stallion Registration Board.

The North Dakota Stallion Registration Board shall hold its meetings at the State Capitol at such times as it may designate, but these shall not be to exceed two regular meetings each year; provided, that the president of the Board shall have power to call special meetings whenever in his judgment it becomes necessary.

The members of the North Dakota Stallion Registration Board shall receive as compensation for their service the sum of three dollars per day for each day employed, and actual expenses incurred attending the meetings of the Board, which sum shall be paid out of the State Treasury upon vouchers of the Board, duly certified by the president and secretary thereof.

**SECTION 3. AMENDMENT.)** That Section 2766 of the Compiled Laws of North Dakota for the year 1913 be and is hereby amended and re-enacted to read as follows:

**SECTION 2766. EXAMINATION OF STALLIONS, METHODS, ETC.)** The veterinary examination of the stallions provided for in this article must be done by a qualified graduate veterinarian who shall be in the employ of the North Dakota Stallion Registration Board. The inspector must not make known the results of the inspection of a stallion to the owner at the time of the inspection but must report same to the Secretary of the North Dakota Stallion Registration Board, who will notify the owner at the time he grants or refuses to grant him a license certificate for his horse.

SECTION 4. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

SECTION 5. 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.

Also,

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Certain Chapters and Sections of Our Game and Fish Laws.

And recommend the adoption of the Standing Committee's amendments as follows:

In the title of the bill after the word "Re-enact" strike out the remainder of the title and insert in lieu thereof "Section 10322a50 of the Supplement to the Compiled Laws of 1913 as amended by Chapter 115 of the Session Laws of 1933."

In Section 1, line 21, strike out the word "cowbirds".

In Section 3, line 13, after the word "shall" insert the words "equal or".

In Section 6, line 21, after the word "unlawful" strike out the remainder of line and lines 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and down to and include "territory" in line 32.

In Section 7, line 27, strike out "14" and insert in lieu thereof "16."

In Section 8, page 14, line 36, after the figures "\$5.00" strike out "comma" and remainder of line and line 37 down to and include "Bismack" in line 38.

In Section 12, page 21, line 12, after the word "required" insert the following: "Such fishway shall be kept in good repair by the person so owning, controlling, managing, operating or using such dam or obstruction. If any person fails to construct or keep in good repair durable and efficient fishways as herein provided, for the space of ten days after notice, the commissioner may construct or repair the same, and the cost thereof may be recovered from the owner or any person managing, or being in control thereof, in a civil action brought in the name of the State of North Dakota."

And the further amendment:

On page, 6, line 8, strike out the word "cottontails".

And when so amended recommend the same do pass.

Also,

House Bill No. 275. 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.

And recommend the adoption of the Standing Committee's amendments as follows:

In Sec. 2, line 3, after the word "hereof" strike out the words "a majority" and insert in lieu thereof the figures and words "20 percent".

And when so amended recommend the same do pass.

Also,

House Bill No. 305. A Bill for an Act Amending and Re-enacting Chapter 135 of the Sessions Laws of North Dakota for the Year 1935, Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen and Committeewomen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910 to 916 Inclusive, Compiled Laws of 1913 and Chapter 137 of the North Dakota Session Laws for the Year 1927, and Chapter 123 of the North Dakota Session Laws for the Year 1929.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

And recommend the adoption of the Standing Committee's amendments as follows:

Sec. 2, lines 2 and 3, strike out the words "are required to" and in line three of, insert the word "may".

And when so amended recommend the same do pass.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

Page 1, Section 1, line 5 of the printed bill after the word

"is" and before the word "abolished", insert the word "hereby".

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION No. 356. An Act for an Amendment to the Constitution of the State of North Dakota Providing for a Managers Plan of County Government in Certain Counties.

And recommend the adoption of the Standing Committee's amendments as follows:

On page 1, line 6 of the printed bill, strike out the word "five" and insert in lieu thereof the word "eight".

At the end of the Bill on line 62 after the word "offices", strike out the period (.) and insert the following: "; provided that after a change has been made in the form of County government, that the question of changing back to the former system of government shall not be submitted to election within six years".

And when so amended recommend the same do pass.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In line four of the title after the semicolon strike out the words "levying a flat hail insurance tax of one cent on each acre of tillable land in North Dakota;"

Page three of the printed bill, Section five, line two, after the word shall, strike out the words "consisting of all crops" and insert in lieu thereof the words "be limited to rye, wheat, speltz, barley, oats, flax, corn, buckwheat, millet, and potatoes".

On page four of the printed bill, Section six, line one, after the figure "6" strike out the words "flat tax and". On line two, beginning with the word "there" strike out all of the section down to line 14, including the word "tax".

Page 5 of the printed bill, on line 16, strike out the figure "6".



On page 5 of the printed bill, line 22, after the comma, strike out the words "One Million of which shall be in cash".

Page 5, line 26, of the printed bill, after the word "year" strike out the balance of the section.

Page 7 of the printed bill, line 39, strike out the words "Flat tax and".

Page 7 of the printed bill, line 48, strike out the words "and flat".

Page 9 of the printed bill, Section 8, line 5, strike out the words "and flat".

Page 9 of the printed bill, Section 8, line 6 and 7, strike out the words "and flat acreage taxes".

Page 12 of the printed bill, line 45, strike out the figure "29" and insert in lieu thereof the figure "25".

Page 13, Section 11 of the printed bill, line 9, strike out the word "triplicate" and insert in lieu thereof "quadruplicate", and on line 11 of the same section strike out the word "one" and insert in lieu thereof the word "two". On the same line strike out the word "duplicate" and insert in lieu thereof the word "duplicates".

Page 13, line 14, of the printed bill after the period insert "the original and one copy of such affidavit shall be mailed to the Commissioner of Insurance by the auditor not later than June 5th".

Page 14 of the printed bill, Section 12, line 3, strike out the figure "20" and insert in lieu thereof the figure "30".

Page 15 of the printed bill, line 14, after the period insert the words "provided, however, that upon any such withdrawal made after the 15th day of June 15% of the current indemnity taxes shall be charged and collected in the same manner as is now provided for the collection of the regular hail indemnity taxes".

Page 15 of the printed bill, line 16, after the word "peace" strike out the words "provided that no assessor shall acknowledge any affidavit of withdrawal" and insert in lieu thereof the words "or the assessor".

Page 16 of the printed bill, line 59, strike out the figure "5" and insert in lieu thereof the figure "20".

Page 24 of the printed bill, Section 21, line 9, after the period, strike out the words "provided, however, that the one million surplus in cash herein provided shall be maintained in the Hail Insurance Fund at all times".

Page 30 of the printed bill, Section 29, on line 10, after the word "act" insert the words, "provided that special policies may be written on potatoes at \$18.00 per acre".

And when so amended recommend the same do pass.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

And recommend the adoption of the standing committee's amendments as follows:

In the title of the original bill after the word "for", strike out the word "register" and insert in lieu thereof the word "registered".

In line 2, Section 1 after the word "substitute" and before the word "may", insert the following words: "unregistered Bonds under the provisions of this Act. The owner or assignee".

Section 1, at the end of line 2 after the word "bonds" and before the word "the" strike out the word "of" and insert in lieu thereof the word "to".

In line 15, Section 1 after the word "this" and before the word "day", insert a blank. In line 16 after the word "notation" and before the word "date", strike out the letters "othe" and insert in lieu thereof the words "of the".

In Section 1, line 31, correct the spelling of the word "negotiable".

In Section 1, line 32 after the word "original", add the word "bond" and strike out the following words: "bonds prior to registration" which appear in line 32.

And the further amendment:

Correct the committee report by changing the third amendment to read "insert in lieu thereof the word 'the'".

And recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Olson of Bowman moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Magill moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that Senate Bill No. 101 be referred to the Committee on Tax and Tax Laws, which motion prevailed.

Mr. Brusseau moved that the vote by which House Bill No. 92 was indefinitely postponed be reconsidered.

A division was called for, and the motion was lost.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

## FORTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. R. E. Smith of Bismarck.

The roll was called and all members were present except Representatives Beaton, Biberdorf, Dittmer, Dullea, Gilberg, Graham, Johnson, Jones, Kapaun, Knudson of Steele, Krank, Kraus, Leum, Morris, Nelson of Cass, Norheim, Schimke, Semerad, Severson, Twichell and Wick.

So a quorum was declared present.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fifth Day after Recess and Forty-sixth Day and recommend that the same be corrected as follows:

Page 1145, line 18, change first word to Senate.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

HOUSE CONCURRENT RESOLUTION "L," Providing for the Amendment and Re-enactment of Section 25 of Article 2 of the Constitution of North Dakota, as Amended by Article 26 of Amendments to the Constitution of North Dakota, Providing for the Legislative Department, the Initiative and Referendum and Procedure Thereunder.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Also,

HOUSE RESOLUTION "K." A Resolution Memorializing Congress to Enact Necessary Legislation and Make the Required Appropriation to Complete the Missouri River Diversion Project in North Dakota.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 198. A Bill for an Act Making an Appropriation to be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act and Declaring an Emergency.

Also,

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in

Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

Also,

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Appointing the Bank of North Dakota as Liquidating Agent Therefor; Requiring Delivery of Assets to the Bank of North Dakota, Specifying Its Duties in Connection Therewith and Providing Compensation Therefor; Providing for the Appointment of Committees to Reopen and Liquidate Such Banks; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 13, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties

for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A petition signed by 48 signers from Pierce County, urging defeat of House Bill No. 216.

Two communications from the Hebron Labor Club, urging the passage of House Bill No. 193 and the defeat of House Bill No. 161.

A communication signed by 37 residents of Emmons County opposing House Bill No. 216.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds for Farmers in Drouth Stricken Counties of This State; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

HOUSE CONCURRENT RESOLUTION "L".

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

Also,

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



House of Representatives,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. President: I have the honor to inform you that the House refused to adopt the report of the conference committee on House Bill No. 40 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives Niewoehner, Saumur and Synington.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills and resolutions:

Senate Bill No. 77. 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.

Also:

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also:

SENATE CONCURRENT RESOLUTION "J".

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 63. A Bill for an Act Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and an Inspector of Said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department. Providing for the Duties of Said Director, Assistant Director and Inspector of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith, the Enforcement of Said Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes and Providing for the Distribution of the Moneys Collected by the Regulatory Department to the Counties and State Equalization Fund. Repealing All Acts and All Parts of Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 235. A Bill for an Act Establishing a State Board of Public Finance, Setting Out the Membership Thereof, Defining the Duties of Such Board, Making It Unlawful for Any State Officer, Superintendent, Manager or Head of Any State Department to Purchase or Sell Securities for or on Behalf of the State and Providing a Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Also,

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Also,

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Sections 10169a4, and 10169a5. of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Dealing with the North Dakota Beverage Inspection Act, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the Fee Required to be Paid for Registration of Label Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Also,

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Also,

Senate Bill No. 236. A Bill for an Act Prohibiting the Admission of Any Minor Into Any Retail Liquor Store in the State of North Dakota Holding an "On Sale" License Under the Provisions of the Liquor Control Act of This State, and Requiring Rigid Enforcement of This Act by Police Officials and State's Attorneys, and Declaring an Emergency.

Also,

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 2166 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 of the Session Laws of North Dakota for 1929, and as Amended by Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2169 and Section 2175 of the Compiled Laws of North Dakota for 1913; and Section 2178 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 122 of the Session Laws of North Dakota for 1935, Providing for the Delinquency of Personal Property Taxes, the Penalty Thereon and the Collection Thereof by the County Treasurer; Providing for a Lien for Delinquent Personal Taxes; Providing for Delinquent Tax Lists and the Duties of the Board of County Commissioners in Connection Therewith; Providing for the Duties of the County Treasurer and for His Neglect or Refusal to Perform His Duty in Connection Therewith, and for a penalty; Providing for the Fees for the Sheriff, or County Treasurer in Making Distress for Personal Taxes; Repealing Sections 2167, 2168 and 2173 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Section 2093 of the Supplement to the Compiled Laws of 1913, Defining Manner of Listing Real and Personal Property and Declaring an Emergency.

Also,

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 40, Senators Watt, Streibel and Williams.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 20, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Also,

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

Senate Bill No. 86. A Bill for an Act Providing for the

**Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.**

Also,

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker called Mr. Wolf to the chair.

#### REPORTS OF STANDING COMMITTEES

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was re-referred:

House Bill No. 63 A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

Following the period after the word "necessary" in line five of Section two of the engrossed bill, being line six, Section 2, of the printed bill, insert the following: "No newspaper or job printing shop, awarded printing under this class, shall be permitted to sublet the same".

Following the word "provisions" in line 22 of the engrossed bill, insert the following: "of Section Two".

And when so amended recommend the same do pass.

ROB. GREISER,  
Chairman.

Mr. Morris moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

HOUSE CONCURRENT RESOLUTION "J". A Concurrent Resolution Providing for the Amendment of Section 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Time for the Introduction of Bills in the Legislative Assembly.

Have had the same under consideration and recommend that the same be amended as follows:

After the title, strike out everything and in lieu thereof insert the following:

"Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

"That the following proposed amendment to Section 60 of

Article 2 of the Constitution of the State of North Dakota is agreed to and that the same be submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

"1. AMENDMENT.) That Section 60 of Article 2 of the Constitution of the State of North Dakota is hereby amended and re-enacted to read as follows:

Sec. 60.) Except as hereinafter provided every bill of whatever nature to be enacted by the legislature of the State of North Dakota shall be filed by the members-elect or the members holding over, with the Secretary of State not less than twenty-five days before the convening of any regular session of the legislative assembly. The Secretary of State shall transmit all bills so filed with him to the respective Houses of the Legislative Assembly upon their convening. The bills filed with the Secretary of State as aforesaid shall be public records and shall be made available to the members of the legislature and the public for their discussion and consideration. It is provided, however, that the legislature may enact measures introduced during the first twenty-five days of the session, providing permission to introduce each of such bills, is granted by a majority vote of the members of the branch of the legislature in which such measures are sought to be introduced. It is further provided, that the legislature may enact measures introduced during the session, after the twenty-fifth day of the session, providing permission to introduce each of such bills, is granted by a three-fourths vote of the members of each branch of the legislature, taken on roll call."

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

**HOUSE CONCURRENT RESOLUTION "S".** A Resolution for an Amendment to the Constitution of North Dakota Providing That the Legislative Assembly May Provide by Law for the Form of Municipal County Government and Provide for the Administration Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Saumer moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker resumed the chair.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 151. A Bill for an Act Providing for the Licensing and Operating of All Slot Machines, Ball Machines, Mechanical Weighers, Mechanical Venders, and All Other Machines or Mechanical Devices or Apparatus, Operated or Played, by Inserting a Coin, Slug or Other Object and Prohibiting the Manufacturing, Owning, Operating, Selling, Possessing, Leasing, or Transporting of Any Such Mechanical Device or Machine Not Duly Licensed; Empowering the Regulatory Department and Attorney General to Classify Such Slot Machines; Requiring the Destruction of All Machines or Devices of Similar Nature Condemned by Attorney General and the Director of the Regulatory Department; Making Unlawful Any Machine of a Similar Nature Not Duly Licensed; Requiring the Regulatory Department, All Peace Officers, the Attorney General, and All State's Attorneys of the State to Enforce This Act; Providing Penalty for Violation; Continuing in Effect Present Statutory Provisions Prohibiting or Regulating Slot Machines Until This Act Shall Become Effective; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "A Bill" strike out everything and in lieu thereof insert the following:

"For an Act providing for the Licensing and Operating of All Slot machines, ball machines, and all other machines or mechanical devices or apparatus, operated or played by inserting a coin, slug of other object and prohibiting the manu-



facturing, owning, operating, selling, possessing, Leasing, or Transporting of any such Mechanical device or machine not duly licensed; empowering the Regulatory Department to issue licenses; Making unlawful any machine of a similar nature not duly licensed; requiring the Regulatory Department, all Peace Officers, the Attorney General, and all States Attorneys of the State to enforce this Act; Providing penalty for violation; exempting merchandise vending machines and weighing machines and pay telephones from the provisions of this act; Repealing all Acts or parts of Acts in conflict herewith; and declaring an Emergency.

“Be It Enacted by the Legislative Assembly of the State of North Dakota:

“Section 1. That from and after the passage and approval of this Act it shall be unlawful to manufacture, buy, sell, or store, rent, hire, lease, transport, or have in possession for any purpose whatsoever, in the State of North Dakota, any machine commonly referred to and known as a slot machine, ball machine, pin ball machine, mechanical player, or any other mechanically operated machine or device adapted, or which may be adapted, that it can be so adapted, that it can be operated by inserting a coin, slug, or other object and through the operation of which the player may receive or become entitled to receive, from the machine or any person in whose possession said machine may be, any money, property, credit, or anything of value whatsoever, or which may be exchanged for anything of value, or which machine may furnish entertainment in any manner whatsoever, unless said machine or device has been duly licensed under the provisions of this Act; provided it shall be lawful to operate merchandise vending mechanical devices, mechanical weighing machines and pay telephones without obtaining such licenses.

“SECTION 2. It shall be the duty of the Regulatory Department to issue licenses to the owners, operators or possessors of all machines, devices or apparatuses, required to be licensed under this Act, upon the receipt of the license fees, hereinafter prescribed;

“\$25.00 for every mechanical musical playing machine or device.

“\$100.00 for every nickle machine or machine into which the player inserts a nickle or a slug which can be purchased, obtained or had for five cents.

“\$200.00 for any other machine or mechanical device required to be licensed under the Provisions of this Act.

“SECTION 3. It is expressly provided, that the owners, or possessors of machines, and mechanical devices licensed under this Act shall not permit them to be played by minors.

“SECTION 4. It shall be legal to operate machines and mechanical devices, authorized to be licensed under this Act at or in connection with State Fairs and County Fairs, without the payment of a license fee.

“SECTION 5. All licenses shall expire on the 31st day of

December of the year of issuance and shall be renewed annually.

"SECTION 6. Every license to be issued under the provisions of this Act shall fully describe the machine for which issued, date when issued, date of expiration, name and address of the owner or operator, serial number, if any, and such further information and description as may be deemed necessary to prohibit such license being used for any other machine. The license shall be issued in the nature of a stamp or sticker and in such form that the same may be permanently attached to the machine and so that it can not be removed without the destruction thereof.

"SECTION 7. No license shall be issued to any person hereunder unless said person shall be a bona fide resident of the State of North Dakota.

"SECTION 8. It shall be the duty of the Regulatory Department of the State of North Dakota, the Attorney General, all Sheriffs, and Peace Officers, the State's Attorney and City Attorneys of the several counties and municipalities of the State to enforce the provisions of this Act.

"SECTION 9. Any slot machine, ball machine, pin ball machine or any other machine of a like nature required to be licensed under this Act, which shall be operated or had in possession in this State after the taking effect of this Act and not licensed hereunder, is hereby declared to be unlawful and shall be seized and destroyed by the officers whose duty it is to enforce the provisions of this Act.

"SECTION 10. All sums collected for license fees under the provisions of this Act shall be paid into the State Equalization Fund.

"SECTION 11. PENALTY.) Any person violating any of the provisions of this Act shall upon conviction thereof be fined not less than \$10.00 nor more than \$500.00, or by imprisonment in the County Jail not less than 30 days nor more than one year, or by both such fine and imprisonment in the discretion of the court.

"SECTION 12. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

"SECTION 13. EMERGENCY.) Whereas there is now no statutory provisions for licensing and control of slot machines and other similar devices in the State of North Dakota therefore an emergency is hereby declared to exist and this Act is in full force and effect from and after its passage and approval."

And when so amended, recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 168. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repeal All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill, line 2, strike out the word "common" and insert in lieu thereof the word "public" and at the (end) of the heading of the bill, add the following words "and Provide for Penalty for making False report;" (this to be inserted after the word "Districts:" and before the word "Repeal".)

In Section 2, line 13 of the original bill which is line 17, Sec. 2 of the printed bill after the word "to" and before the word "such", insert the word "by",

On page 3, line 43 of Sec. 2, strike all of (Sub. Sec. 4) which is page 4, Section (c) Subsection (4) of the printed bill, strike out all of Section 4 and insert in lieu thereof "Sec. 4: That such district must furnish satisfactory proof that it has made an effort to sell certificates of indebtedness; further, it must furnish satisfactory proof that it either has no further power to issue warrants or that if such warrants were issued they would not be accepted as normal commercial instruments."

Page 3, Sec. 2 Subdivision (d) of the original bill which is page 5, line 64 in the title of the printed bill, strike out the words "nine month term" and substitute in lieu thereof the words "seven months in any one term".

In the same section (d) line 66 of the printed bill after the word "Section", strike out the remainder of the subsection and insert after the word "Section" the following: "for not more than seven months in any one school year".

In Section (e), page 3, line 59 of the original bill which is page 5, Section (e), line 75 of the printed bill, strike out after the word "Schools" the comma and insert in lieu thereof a period. In the same line, capitalize the letter "I" in the word "In".

In subdivision H, Sec. 2, pages 3 and 4 of the original bill which is page 6, Section (h), line 94 of the printed bill, strike out after the word "shall" the balance of that line, and all up to the words "be available for distribution" then, after the word "distributions", strike out all of the remainder of Section (h) and substitute in lieu thereof after the word

"distribution" the following: "on a teacher-unit basis as provided in Section 6 of this Act".

In subdivision (i) of Sec. 2, page 4 of the original bill which is page, Section (i), line 102 of the printed bill, after the word "salaries", strike out the period and insert the following: "and other necessary operating expenses. No portion of these moneys shall be used for debt service or transportation".

In Section 3, line 16 which is page 7, line 18 of the printed bill, strike out the words "the nearest" and substitute in lieu thereof the word "a".

On page 4, Section 3, line 27 after the word "certify" and before the word "to", insert the following words: "and the clerk shall attest" which is to be inserted in line 31, Sec. 3, page 7 of the printed bill. And in the same Section, line 28 which is line 33, Sec. 3, page 7 of the printed bill after the word "of" and before the words "of attendance" strike out the word "days" and insert in lieu thereof the word "weeks". In the same line after the word "and" and before the word "taken", strike out the word "subjects" and insert in lieu thereof the words "number of units of high school work".

In Section 4 of the original bill and line 4, strike out the words and figures "forty thousands dollars, (\$40,000) and insert in lieu thereof the words and figures "sixty-five thousand dollars (\$65,000)". Which is to be inserted in lines 4 and 5, Sec. 4, page 9 of the printed bill.

In Section 5, page 5, line 2, strike out the word "Commerce" and insert in lieu thereof the words "Distributive Industries" and in Sec. 5, line 5, page 5, strike out the word "Commerce" after the word "and" and insert the words "Distributive Industries" in lieu thereof. And also in the same Section, line 9, page 6 of the original bill which is line 12, page 10 of the printed bill after the word "in", strike out the word "commerce" and insert in lieu thereof the words "distributive industries".

In Section 7, page 6, line 14 of the original bill which is page 11, line 17 of the printed bill, add after the word "classes" insert the following words "in defining teacher-unit as applied to consolidated schools. Consideration shall be given to the teacher-pupil ratio and to the territory served by such schools".

In Section 8, page 8, line 29 after the word "and", strike out the word "commerce" and insert in lieu thereof the words "distributive industries" which is page 13, line 34 of the printed bill.

In Section 9, page 8, line 5 which is page 14, line 6 of the printed bill, strike out after the words "economics and" the word "commerce" and insert in lieu thereof the words "distributive industries".

On page 10 which is page 16 in the printed bill, renumber

Section 13 to read as Section 14 and insert a new Section 13 as follows:

"SECTION 13: PENALTY FOR FALSE REPORTS". It shall be a misdemeanor, or punishable by fine or imprisonment, or both, for any school official to falsify any report made in connection with the administration of this fund".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 194. A Bill for an Act Creating the Office of Chaplain and Social Service Director for the State Training School at Mandan; Specifying the Duties and Privileges; Fixing the Salary; Providing for Payment of Expenses and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Greiser moved that the vote by which House Bill No. 194 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City Council, Providing Form of Ballot, Notice of Election, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OLE B. STRAY,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 206. A Bill for an Act Making an Appropriation for the Erection of a Building for Trades Industrial and Vocational Training at the State Training School at Mandan, North Dakota; Such Building to Be Erected Under the Supervision and Direction of the Superintendent of Said Training School and the Board of Administration.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted.

Mr. Niewoehner offered as a substitute motion that House Bill No. 206 be placed on the calendar, which motion lost.

The question being on the original motion of Mr. Peterson, the motion prevailed and House Bill No. 206 was indefinitely postponed.

Mr. Trydahl moved that the vote by which House Bill No. 206 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Cities and Municipal Corporations made the following report:

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 241. A Bill for an Act Relating to the Publication of Report of Expenditures of All Governing Boards of Towns and Cities in the State.

Have had the same under consideration and recommend that the same do pass.

OLE B. STRAY,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Safety made the following report:

Mr. Speaker: Your Committee on Public Safety to whom was referred:

House Bill No. 242. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935 Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. WILLIAMS,  
Chairman.

Mr. LaBerge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the vote by which House Bill No. 242 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

On original bill, page 1, Section 4, line 2, which is on page 2 of the printed bill, beginning with the word "excepting," strike out the balance of the section.

And when so amended, recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 277. A Bill for an Act Creating a Method by Which the State of North Dakota May Be Placed Upon a Cash Basis; Authorizing the Issuance and Sale of Negotiable, Incontestable Certificates of Indebtedness and Refunding Certificates of Indebtedness in a Total Amount Not Exceeding Eighty Percent of the Outstanding Uncollected State Taxes Over a Period of Years; Specifying Date, Maturity, Amount, Interest, Rate, and General Form of Such Certificates; Requiring Certification by the State Treasurer and the State Auditor; Providing Manner of Execution; Permitting Negotiation and Sale Thereof; Confirming All Acts to Be Done in Substantial Compliance Herewith; Saving Part of Act if Other Parts are Declared Unconstitutional; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 277 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 3176a5, Supplement to the Compiled Laws of 1913, Defining the Duties of Official Newspapers; Providing for Publication of Legal Publications in Other Than the Official Newspaper in Certain Cases After January 1, 1939, and Relating to Payment of Fees for Official Publications.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted.

Mr. O'Brien moved as a substitute motion that House Bill No. 279 be placed on the calendar.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 301. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 199 of the 1933 Session Laws Abolishing the Office of Assistant Director of the North Dakota Regulatory Department, Establishing the Office of State Food Commissioner and Chemist, as Distinct and Separate from the North Dakota Regulatory Department, Providing for Appointment, Qualifications, Salaries and Duties of State Food Commissioner and Chemist and of Other Employees Under His Supervision, Providing for the Deposit of All Moneys Collected by Said State Food Commissioner and Chemist in a Revolving Fund to Be Designated as "Pure Food and Chemistry Fund" and the Payment of Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, and for the Transfer Annually of Part of Said Fund to the General Fund of the State, and



for the Immediate Transfer to Said Fund of a sum of Ten Thousand Dollars from the "State Regulatory Fund", and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted.

Mr. Magill offered as a substitute motion that House Bill No. 301 be placed on the calendar.

Which motion was lost.

The question being on the original motion of Mr. Hagen, the motion prevailed and House Bill No. 301 was indefinitely postponed.

Mr. Frazier moved that the vote by which House Bill No. 301 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 316. A Bill for an Act Requiring the State of North Dakota, Through the Bank of North Dakota, or Through Its Proper Officials and Agencies to Convey Certain Lands and Satisfy Mortgages Upon Compliance With Conditions Herein Imposed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Pewe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the vote by which House Bill No. 316 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 317. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of North Dakota for the Year 1935, Authorizing the Board of County Commis-

sioners to Provide Room or Rooms in the Courthouse or Memorial Buildings, Which Have Been Heretofore Erected or Which Hereafter May Be Erected, for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted.

Mr. O'Brien offered as a substitute motion that House Bill No. 317 be indefinitely postponed, which motion prevailed.

Mr. Frazier moved that the vote by which House Bill No. 317 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Cities and Municipalities made the following report:

Mr. Speaker: Your Committee on Cities and Municipalities to whom was referred:

House Bill No. 321. A Bill for an Act Authorizing Cities Having a Population of 4,000 and Over to Establish and Provide a Fund to Be Used for the Purpose of Paying and Providing Payment to Its Employees of Pensions and Disability Insurance or Allowances; to Create and Set up a Board for the Administration of Such Fund, and Authorizing and Empowering Such Board to Prescribe Rules and Regulations Governing Qualification and Rights of Persons to Participation in the Benefits of Such Fund and for the Efficient Administration of the Fund Herein Provided, and Carrying Out the Purposes and Provisions of This Act:

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE B. STRAY,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Ritter moved that the vote by which House Bill No. 321 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 323. A Bill for an Act Levying a Tax Upon Cigars Sold at Retail in the State of North Dakota; Fixing

the Amount of Such Tax; Providing Manner for Affixing Stamp Tax and Other Regulations; Providing for Having in Possession of Selling Without Paying Tax; Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fitch moved that the vote by which House Bill No. 323 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Railroads made the following report:

Mr. Speaker: Your Committee on Railroads to whom was referred:

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title, following the word "Repealing", insert the word "all".

Further amendment at the end of the title, strike out the period, insert a comma and add the following: "And Declaring an Emergency".

In Section 1, strike out all of line 4 of the original bill and the balance of the Section and insert in lieu thereof the following:

"SECTION 4562. STOP AT COUNTY SEATS.) Every person, company or corporation operating a railroad within or through this state, shall cause all its regular passenger trains to stop upon their arrival at its station now established at each county seat of the County through or by which such trains run, or at such other of its stations, heretofore established, or hereafter established, within one mile of the corporate limits of such county seat, a sufficient length of time to receive and let off passengers with safety; provided, the same shall not apply to any passenger train which does not carry passengers whose trip both begins and terminates within the boundaries of the State of North Dakota".

Add: "Section3. EMERGENCY.) WHEREAS, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval".

And when so amended recommend the same do pass.

C. P. RITTER,  
Chairman.

Mr. Godwin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Railroads made the following report:

Mr. Speaker: Your Committee on Railroads to whom was referred:

House Bill No. 339. A Bill for an Act to Repeal Section 2054 of the 1913 Compiled Laws of the State of North Dakota, Relating to Hitching of Passenger Teams.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. P. RITTER,  
Chairman.

Mr. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Knutson of LaMoure moved that the vote by which House Bill No. 339 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

Have had the same under consideration and recommend that the same do pass.

GUS. A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 358. A Bill for an Act to Amend and Re-enact Sections One and Four of Chapter 199 of the 1933 Session Laws of the State of North Dakota Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director, Appointment of Inspectors and Special Inspectors, etc.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Knutson of LaMoure moved that the vote by which House Bill No. 358 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the original bill, Section 1, line 3, strike out the words and figures "Ten Thousand Dollars (\$10,000).", and insert in lieu thereof the words and figures "Five Thousand Dollars (\$5,000)".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 2133 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Township Board of Review, Complaints and Grievances With Reference Thereto, and Providing for an Appeal to the Board of County Commissioners, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A Majority of Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeat.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. T. OLSON  
C. M. PETERSON, Renville  
FRED SHURR  
W. H. SHURE  
A. J. KAPAUN  
N. P. JENSEN

Mr. Shure of Cass moved that the report be adopted.

A minority of the Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A Minority of Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Have had the same under consideration and recommend that the same do pass.

OLE AKLAND  
FRANKLIN PAGE  
H. W. BROWN  
OLE B. STRAY  
JOHN BILLIGMEIER

Mr. Page moved that the report of the Minority be substituted for the report of the Majority.

Mr. Godwin moved the previous question, which motion prevailed.

The question being on Mr. Page's motion, a division was called for and the motion lost.

The question now being on the original motion of Mr. Shure that the report of the majority be adopted, the motion prevailed and Senate Bill No. 133 was indefinitely postponed.

Mr. Shure moved that the vote by which Senate Bill No. 133 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Godwin moved that the House be on the Eighth Order of Business and that at the completion of such business the House recess until 8:00 P. M., which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

HOUSE RESOLUTION "K".

Also,

SENATE CONCURRENT RESOLUTION "J".

Also,

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

Also,

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Also,

Senate Bill No. 77. 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.

Also,

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also,

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

And the Speaker signed the same in the presence of the House.

The House recessed.

#### AFTER RECESS

The House convened at 8:00 P. M., pursuant to recess, Speaker Dahl presiding.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 374. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of the State of North Dakota for 1929, Relating to the Appointment, Powers, and Duties of the State Superintendent of Criminal Investigation and Identification and Providing for the Payment of Salary



and Expenses of that Office, and Providing an Appropriation Therefor.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Delayed Bills introduced:

House Bill No. 375. A Bill for an Act to Impose Tonnage and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, the Payment of the Tax; Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Was read the first time and referred to the Committee on Tax and Tax Laws.

The Committee on Delayed Bills introduced:

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapted 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-nact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Delayed Bills introduced:

House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Declaring an Emergency.

Was read the first time and referred to the Committee on Livestock.

#### SEVENTH ORDER OF BUSINESS

Mr. Beggs moved that House Bill No. 374, House Bill No. 375, House Bill No. 376, and House Bill No. 377 be not printed until acted upon by the committee.

Which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Fixing Duties and Compensations of the District Courts in Connection Therewith; Requiring Delivery of Assets to The Bank of North Dakota; Specifying Its Duties in Connection Therewith; Providing for Appointment of Attorneys and Providing Methods for Disposing of Assets and Closing Receiverships; Granting the Right of Appeal; Providing for Appointment of

Temporary Receivers and Liquidating Committees; 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, as amended, the roll was called and there were ayes, 79; nays, 2; absent and not voting 32.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Pewe
Akland	Huseby	Rait
Anderson	Ireland	Sand
Anfinson	Jensen	Sandness
Beaton	Jury	Saumur
Beggs	Just	Savre
Billigmeier	LaBerge	Seibel
Bjornson	Langford	Shure, Cass
Black	Levin	Shurr, Bottineau
Blair	Livingston	Solberg
Brown	McIntee	Sticka
Brusseau	Magill	Stray
Burgum	Morland	Symington
Byrne	Myers	Thoreson
Caddell	Niewoehner	Traynor
Dalzell	Obach	Treffry
Day	O'Brien	Trydahl
Frazier	Odegard	Tuff
Freitag	Oglesby	Tweten
Frey	Olson, Adams	Twichell
Gessner	Olson, Bowman	Urschel
Gilberg	Olson, McLean	Wendland
Goodlaxon	Page	White
Haines	Peterson, Bot'neau	Williams
Hofstrand	Peterson, Renville	Wolf
Holm	Peterson, Richland	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.
Beasley	Benno

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Nelson, Sargent
Bieloh	Jones	Norheim
Dittmer	Kapaun	Olson, Sargent
Dullea	Knudson, Steele	Ritter
Fitch	Knutson, LaMoure	Schauss
Frosaker	Krank	Schimke
Godwin	Kraus	Semerad
Graham	Leum	Severson
Greiser	McInnes	Thompson
Hagen	Morris	Wick
Holthusen	Nelson, Cass	

So the bill passed and the title was agreed to.

Mr. Freitag moved that the vote by which House Bill No. 89 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Traynor moved that the House proceed with its business, and that any controversial bills be deferred.

Which motion prevailed.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

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, 66; nays, 18; absent and not voting 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Renville
Akland	Holm	Peterson, Richland
Anderson	Holmquist	Pewe
Anfinson	Holthusen	Rait
Beasley	Hultstrand	Sand
Beaton	Huseby	Sandness
Benno	Ireland	Savre
Bieloh	Jensen	Seibel
Billigmeier	Jury	Shurr, Bottineau
Black	Just	Solberg
Brusseau	LaBerge	Stray
Burgum	Langford	Symington
Caddell	Livingston	Thoreson
Dalzell	McIntee	Treffry
Day	Magill	Tuff
Frazier	Morland	Tweten
Frey	Myers	Urschel
Frosaker	Oglesby	Wendland
Goodlaxon	Olson, Adams	White
Graham	Olson, Bowman	Williams
Hagen	Page	Wolf
Haines	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Knutson, LaMoure	Saumur
Blair	Levin	Shure, Cass
Brown	Obach	Sticka
Freitag	O'Brien	Traynor
Gessner	Odegard	Trydahl
Gilberg	Olson, McLean	Twichell

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Norheim
Bjornson	Knudson, Steele	Olson, Sargent
Byrne	Krank	Ritter
Dittmer	Kraus	Schauss
Dullea	Leum	Schimke
Fitch	McInnes	Semerad
Godwin	Morris	Severson
Greiser	Niewoehner	Thompson
Johnson	Nelson, Cass	Wick
Jones	Nelson, Sargent	

So the bill passed and the title was agreed to.

Mr. Dalzell moved that the vote by which House Bill No. 150 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Verification was asked for and granted.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 13, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Was read the second time.

Mr. Twichell moved that further consideration of House Bill No. 161 be indefinitely postponed.

Which motion prevailed.

Mr. Twichell moved that the vote by which House Bill No. 161 was indefinitely postponed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments or Installments of Special Assessments, Relating to the Bidding in of Same When no Bidders at Sale, Relating to Damages to Certificate Holders When Statutory Proceedings Not Strictly Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and for the Repeal of Inconsistent Acts, 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, 86; nays, 5; absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Akland	Holm	Peterson, Renville
Anderson	Holmquist	Peterson, Richland
Anfinson	Holthusen	Pewe
Beasley	Hultstrand	Rait
Beaton	Huseby	Sand
Beggs	Ireland	Sandness
Benno	Jensen	Saumur
Bieloh	Jury	Savre
Billigmeier	Just	Schauss
Bjornson	Knudson, Steele	Seibel
Black	Knutson, LaMoure	Shure, Cass
Brown	LaBerge	Shurr, Bottineau
Brusseau	Langford	Solberg
Burgum	Levin	Sticka
Byrne	Livingston	Stray
Caddell	McIntee	Symington
Dalzell	Magill	Thoreson
Day	Morland	Treffry
Fitch	Myers	Trydahl
Frazier	Nelson, Sargent	Tuff
Freitag	Obach	Tweten
Frey	O'Brien	Urschel
Frosaker	Oglesby	Wendland
Gilberg	Olson, Adams	White
Godwin	Olson, Bowman	Williams
Goodlaxon	Olson, McLean	Wolf
Hagen	Olson, Sargent	Mr. Speaker
Haines	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Odegard	Twjichell
Niewoehner	Traynor	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Norheim
Dittmer	Krank	Ritter
Dullea	Kraus	Schimke
Gessner	Leum	Semerad
Graham	McInnes	Severson
Greiser	Morris	Thompson
Johnson	Nelson, Cass	Wick
Jones		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Shure 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.

Mr. Niewoehner: I voted "no" because this bill will defraud many people who have invested their money in special assessment warrants in some of the cities of their money because the city will not become liable for the debt eventually, as it should.

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Maintenance, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Was read the second time.

Mr. Trydahl asked the unanimous consent of the House to amend the bill by correcting the spelling of the word "read" in Section 1 of the original bill, which consent was granted.

Mr. Trydahl moved that the rules be suspended and House Bill No. 247 be considered properly re-engrossed and placed on 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, 68; nays, 20; absent and not voting 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Rait
Akland	Holthusen	Savre
Anderson	Hultstrand	Schauss
Anfinson	Huseby	Seibel
Beasley	Ireland	Shure, Cass
Beaton	Jensen	Shurr, Bottineau
Beggs	Knutson, LaMoure	Solberg
Bieloh	Langford	Sticka
Billigmeier	Levin	Stray
Black	Livingston	Symington
Brusseau	McIntee	Thoreson
Caddell	Magill	Traynor

Messrs.	Messrs.	Messrs.
Dalzell	Myers	Treffry
Fitch	Niewoehner	Trydahl
Frazier	Nelson, Sargent	Tuff
Freitag	Obach	Tweten
Gilberg	Odegard	Twichell
Godwin	Olson, McLean	Urschel
Goodlaxon	Olson, Sargent	White
Hagen	Page	Williams
Haines	Peterson, Bot'neau	Wolf
Hofstrand	Peterson, Richland	Mr. Speaker
Holm	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Gessner	Olson, Adams
Blair	Jury	Olson, Bowman
Burgum	Just	Peterson, Renville
Byrne	LaBerge	Sandness
Day	Morland	Saumur
Frey	O'Brien	Wendland
Frosaker	Oglesby	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Norheim
Bjornson	Knudson, Steele	Ritter
Brown	Krank	Sand
Dittmer	Kraus	Schimke
Dullea	Leum	Semerad
Graham	McInnes	Severson
Greiser	Morris	Thompson
Johnson	Nelson, Cass	Wick
Jones		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Traynor moved that the vote by which House Bill No. 247 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, 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, 42; absent and not voting 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Frosaker	Peterson, Richland
Akland	Gessner	Pewe
Anderson	Gilberg	Sandness
Anfinson	Godwin	Savre
Beaton	Goodlaxon	Schauss
Beggs	Hagen	Sticka
Benno	Hofstrand	Stray
Billigmeier	Holthusen	Thoreson
Brusseau	Huseby	Traynor
Byrne	LaBerge	Treffry
Caddell	Levin	Trydahl
Dalzell	Niewoehner	Tuff
Day	Obach	Twetén
Fitch	O'Brien	Williams
Freitag	Page	Mr. Speaker
Frey	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Knutson, LaMoure	Olson, Sargent
Bieloh	Langford	Peterson, Bot'neau
Black	Leum	Rait
Blair	Livingston	Saumur
Brown	McIntee	Seibel
Burgum	Magill	Shure, Cass
Frazier	Morland	Shurr, Bottineau
Haines	Myers	Solberg
Holm	Nelson, Sargent	Symington
Holmquist	Odegard	Twichell
Hultstrand	Oglesby	Urschel
Ireland	Olson, Adams	Wendland
Jensen	Olson, Bowman	White
Jury	Olson, McLean	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Just	Norheim
Bjornson	Kapaun	Ritter
Dittmer	Knudson, Steele	Sand
Dullea	Krank	Schimke
Graham	Kraus	Semerad
Greiser	McInnes	Severson
Johnson	Morris	Thompson
Jones	Nelson, Cass	Wick

So the bill was lost.

Mr. Wolf: I vote "no" for the purpose of reconsideration.

House Bill No. 333. A Bill for an Act Making It Unlawful



for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Was read the second time.

Mr. Trydahl asked unanimous consent of the House to amend the bill by changing the word "my" in the first line of the title to read "any", which consent was granted.

Mr. Trydahl asked the unanimous consent of the House to amend the bill by striking out the word "of" before the word "industry" in line 8 of Section 1 of the printed bill, and inserting in lieu thereof the word "or", which consent was granted.

Mr. Trydahl moved that the rules be suspended and House Bill No. 333 be considered properly re-engrossed and placed on 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, 63; nays, 27; absent and not voting 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, McLean
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Richland
Beaton	Holthusen	Pewe
Beggs	Hultstrand	Rait
Bieloh	Huseby	Ritter
Billigmeier	Ireland	Sand
Brusseau	Jensen	Schauss
Byrne	Just	Seibel
Caddell	Knutson, LaMoure	Shurr, Bottineau
Dalzell	LaBerge	Solberg
Day	Langford	Thoreson
Fitch	Levin	Treffry
Frazier	Livingston	Tuff
Freitag	McIntee	Tweten
Gilberg	Myers	Urschel
Godwin	Obach	White
Goodlaxon	O'Brien	Williams
Greiser	Odegard	Wolf
Hagen	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Leum	Sandness
Benno	Magill	Saumur

Messrs.	Messrs.	Messrs.
Black	Morland	Shure, Cass
Blair	Niewoehner	Sticka
Brown	Nelson, Sargent	Symington
Burgum	Oglesby	Traynor
Frosaker	Olson, Bowman	Trydahl
Gessner	Olson, Sargent	Twichell
Jury	Peterson, Renville	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Savre
Bjornson	Knudson, Steele	Schimke
Dittmer	Krank	Semerad
Dullea	Kraus	Severson
Frey	McInnes	Stray
Graham	Morris	Thompson
Johnson	Nelson, Cass	Wick
Jones	Norheim	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Schauss moved that the vote by which House Bill No. 333 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Schauss moved that action on House Bill No. 198 be deferred one legislative day, which motion prevailed.

The Speaker called Mr. Caddell to the chair.

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the second time.

Mr. Magill asked unanimous consent of the House to amend House Bill No. 204 by correcting the language "Section 2. Emergency" to read "Section 3. Emergency", which consent was granted.

Mr. Magill moved that the rules be suspended and House Bill No. 204 be considered properly re-engrossed and placed on 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, 86; nays, 1; absent and not voting 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Richland
Akland	Hultstrand	Pewe

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beaton	Jensen	Sand
Beggs	Just	Sandness
Benno	Knutson, LaMoure	Saumur
Bieloh	LaBerge	Savre
Billigmeier	Langford	Schauss
Blair	Leum	Seibel
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Fitch	Morland	Symington
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Obach	Trydahl
Gilberg	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Godwin	Oglesby	Twitchell
Greiser	Olson, Adams	Urschel
Hagen	Olson, Bowman	Wendland
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Wolf
Holm	Page	Mr. Speaker
Holmquist	Peterson, Renville	

Those voting in the negative were:

Messrs.  
Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Graham	Nelson, Cass
Biberdorf	Johnson	Norheim
Bjornson	Jones	Peterson, Bot'neau
Black	Jury	Schimke
Burgum	Kapaun	Semerad
Byrne	Knudson, Steele	Severson
Dittmer	Krank	Thompson
Dullea	Kraus	Wick
Frey	Morris	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Morland moved that the vote by which House Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 284. A Bill for an Act for the Regulation of Traveling Egg Buyers, and Defining Who Are Such Buyers; License and Bond Required; Powers and Duties of Railroad Commission; Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Adminis-

tration and Enforcement of the Act; Penalty for Violation of Act; and Making the Act an Emergency Measure.

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, 53; nays, 32; absent and not voting 28.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Freitag	Pewe
Akland	Gessner	Rait
Anderson	Gilberg	Ritter
Anfinson	Godwin	Sandness
Beasley	Goodlaxon	Saumur
Beaton	Greiser	Schauss
Beggs	Hagen	Seibel
Bieloh	Haines	Stray
Billigmeier	Hultstrand	Thoreson
Blair	Jury	Traynor
Brown	Knutson, LaMoure	Treffry
Brusseau	McIntee	Trydahl
Byrne	Morland	Tuff
Caddell	Myers	Tweten
Dalzell	O'Brien	Twichell
Day	Olson, Bowman	Wendland
Fitch	Olson, McLean	Wolf
Frazier	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Levin	Peterson, Richland
Black	Livingston	Savre
Frosaker	Magill	Shure, Cass
Holm	Nelson, Sargent	Shurr, Bottineau
Holmquist	Obach	Solberg
Holthusen	Odegard	Sticka
Huseby	Oglesby	Symington
Ireland	Olson, Adams	Urschel
LaBerge	Olson, Sargent	White
Langford	Peterson, Bot'neau	Williams
Leum	Peterson, Renville	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Nelson, Cass
Bjornson	Just	Norheim
Burgum	Kapaun	Sand
Dittmer	Knudson, Steele	Schimke
Dullea	Krank	Semerad
Frey	Kraus	Severson
Graham	McInnes	Thompson
Hofstrand	Morris	Wick
Jensen	Niewoehner	Mr. Speaker
Johnson		

So the bill was lost.

Mr. Trydahl moved that the vote by which House Bill No. 284 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation 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, 87; nays, 2; absent and not voting 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beaton	Jensen	Ritter
Beggs	Jury	Sand
Benn	Just	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	LaBerge	Savre
Black	Langford	Schauss
Blair	Leum	Seibel
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Byrne	McInnes	Solberg
Caddell	McIntee	Sticka
Dalzell	Magill	Stray
Frazier	Morland	Symington
Freitag	Myers	Thoreson
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Greiser	Oglesby	Urschel
Hagen	Olson, Adams	Wendland
Haines	Olson, Bowman	White
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Williams

Those voting in the negative were:

Messrs.	Messrs.
Day	Fitch

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Peterson, Richland
Bjornson	Kapaun	Schimke

Messrs.	Messrs.	Messrs.
Burgum	Knudson, Steele	Semerad
Dittmer	Krank	Severson
Dullea	Kraus	Thompson
Frey	Morris	Traynor
Graham	Nelson, Cass	Wick
Johnson	Norheim	Mr. Speaker

So the bill passed and the title was agreed to.

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

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, 87; nays, 2; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Pewe
Beaton	Ireland	Rait
Benno	Jensen	Ritter
Bieloh	Jury	Sand
Billigmeier	Just	Sandness
Black	Knutson, LaMoure	Saumur
Blair	LaBerge	Savre
Brown	Langford	Schauss
Brusseau	Leum	Seibel
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Fitch	Magill	Thoreson
Frazier	Morland	Treffry
Freitag	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Beggs	Symington

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Peterson, Richland

Messrs.	Messrs.	Messrs.
Bjornson	Kapaun	Schimke
Burgum	Knudson, Steele	Semerad
Dittmer	Krank	Severson
Dullea	Kraus	Stray
Frey	Morris	Thompson
Graham	Nelson, Cass	Traynor
Johnson	Norheim	Wick

So the bill passed and the title was agreed to.

Mr. Morland: I vote "aye" for the purpose of reconsideration.

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Was read the second time.

Mr. Bieloh 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, 78; nays, 12; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Jensen	Sand
Benno	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Knutson, LaMoure	Savre
Brown	LaBerge	Schauss
Brusseau	Langford	Seibel
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Fitch	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Magill	Symington
Frosaker	Morland	Thoreson
Gessner	Myers	Traynor
Gilberg	Niewoehner	Treffry
Godwin	Obach	Trydahl
Goodlaxon	Odegard	Tuff
Greiser	Olson, Adams	Tweten
Hagen	Olson, Bowman	Urschel
Haines	Olson, McLean	White
Hofstrand	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	Olson, Sargent

Messrs.	Messrs.	Messrs.
Black	Nelson, Sargent	Twichell
Blair	O'Brien	Wendland
Dalzell	Oglesby	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Peterson, Richland
Bjornson	Kapaun	Schimke
Burgum	Knudson, Steele	Semerad
Dittmer	Krank	Severson
Dullea	Kraus	Thompson
Frey	Morris	Wick
Graham	Nelson, Cass	Wolf
Johnson	Norheim	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Twichell: I vote "no" on this bill for the reason that at this time when we need every dollar in taxes we can collect, we should not offer a man a premium who postpones any tax payment for at least one month.

Mr. Godwin moved that further consideration of House Bill No. 363 be indefinitely postponed, which motion prevailed, and the House Bill No. 363 was indefinitely postponed.

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Was read the second time.

Mr. Godwin asked unanimous consent of the House to amend House Bill No. 365 by correcting the spelling of the word "assembly" in the enacting clause of the original bill, which consent was granted.

Mr. Godwin moved that the rules be suspended and House Bill No. 365 be considered properly re-engrossed and placed on 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, 83; nays, 7; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, McLean
Akland	Holm	Olson, Sargent
Anderson	Holmquist	Peterson, Bot'neau
Anfinson	Holthusen	Peterson, Renville
Beasley	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Ireland	Sand
Benno	Jensen	Sandness
Bieloh	Jury	Saumur
Billigmeier	Just	Savre



Messrs.	Messrs.	Messrs.
Black	Knutson, LaMoure	Seibel
Blair	LaBerge	Shure, Cass
Brown	Leum	Shurr, Bottineau
Brusseau	Levin	Solberg
Caddell	Livingston	Sticka
Dalzell	McInnes	Stray
Fitch	McIntee	Symington
Frazier	Magill	Thoreson
Freitag	Morland	Traynor
Frey	Myers	Treffry
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Obach	Urschel
Godwin	O'Brien	Wendland
Goodlaxon	Odegard	White
Greiser	Oglesby	Williams
Hagen	Olson, Adams	Mr. Speaker
Haines	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Byrne	Ritter	Twichell
Day	Trydahl	Wolf
Page		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Peterson, Richland
Bjornson	Knudson, Steele	Schauss
Burgum	Krank	Schimke
Dittmer	Kraus	Semerad
Dullea	Langford	Severson
Graham	Morris	Thompson
Johnson	Nelson, Cass	Wick
Jones	Norheim	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved to notify the Senate that the House would like to have the Third House session from 4:00 P. M. to 5:30 P. M., Thursday.

Which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

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, 78; nays, 6; absent and not voting, 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Sand
Beggs	Jury	Sandness
Benno	Just	Saumur
Billigmeier	LaBerge	Savre
Black	Leum	Schauss
Brown	Levin	Shure, Cass
Brusseau	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Fitch	Magill	Stray
Frazier	Morland	Symington
Freitag	Myers	Thoreson
Frosaker	Niewoehner	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Day	Trydahl
Byrne	Ritter	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Jones	Olson, Adams
Bieloh	Kapaun	Peterson, Richland
Bjornson	Knudson, Steele	Schimke
Burgum	Knutson, LaMoure	Seibel
Dittmer	Krank	Semerad
Dullea	Kraus	Severson
Frey	Langford	Thompson
Graham	Morris	Wick
Jensen	Nelson, Cass	Wolf
Johnson	Norheim	

So the bill passed and the title was agreed to.

#### HOUSE CONCURRENT RESOLUTION "W"

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, 76; nays, 3; absent and not voting, 34.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Rait
Anderson	Holm	Ritter

Messrs.	Messrs.	Messrs.
Anfinson	Holmquist	Sand
Beasley	Hultstrand	Sandness
Beggs	Huseby	Savre
Benno	Ireland	Schauss
Billigmeier	Just	Seibel
Black	LaBerge	Shure, Cass
Blair	Leum	Shurr, Bottineau
Brown	Livingston	Solberg
Brusseau	McInnes	Sticka
Byrne	McIntee	Stray
Caddell	Magill	Symington
Dalzell	Morland	Thoreson
Day	Myers	Traynor
Fitch	Obach	Trydahl
Frazier	O'Brien	Tuff
Freitag	Odegard	Twetén
Frosaker	Oglesby	Twichell
Gessner	Olson, Bowman	Urschel
Gilberg	Olson, McLean	Wendland
Godwin	Olson, Sargent	White
Goodlaxon	Page	Williams
Greiser	Peterson, Bot'neau	Wolf
Hagen	Peterson, Renville	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jury	Pewe

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jones	Norheim
Biberdorf	Kapaun	Olson, Adams
Bieloh	Knudson, Steele	Peterson, Richland
Bjornson	Knutson, LaMoure	Saumur
Burgum	Krank	Schimke
Dittmer	Kraus	Semerad
Dullea	Langford	Severson
Frey	Levin	Thompson
Graham	Morris	Treffry
Holthusen	Niewoehner	Wick
Jensen	Nelson, Cass	
Johnson	Nelson, Sargent	

So the Resolution was adopted.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced.

House Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 238 of the 1935 Session Laws, Defining Absolute Exemptions.

Was read the first time and referred to the Committee on Ways and Means.

## COURTESIES OF THE FLOOR

The Courtesies of the floor were extended to the following: Marie Hertel, Minot; Mrs. B. Knudson, Bismarck; Mrs. Ralph E. Hubbard, Linton; Joe Cervinski, Hankinson; Marry Voyek, Lidgerwood; E. Pinar Whipperman, Hankinson; Soriese Johnson, Lidgerwood; Peter Denins, Center; R. C. Stubbs, Center; Eileen Bartholomay, Leonard; Helen Lofgren, Stanley; Mrs. F. Paul Smith, Amenia; S. Nermyr, Westhope; Jack Mulloy, Bismarck; E. J. LaMane, New Leipzig; Gustev J. Adaior, Annamoose; James Mulloy, Bismarck; Geo. Borsheim, Williston; Bob Hefferman, Williston; Helen Cuffe, Stanley; G. N. Geiszler, Bowman; L. J. Mero, Grand Forks; J. Hammelsmeh, Grand Forks; James Blake, Fargo; James Gaffney, Fargo; Kay Joan Fitch, Fargo; Mrs. C. M. Peterson, Tolley; Miss Maxwell, Bismarck; Miss Campbell, Bismarck; John Heisler, Fargo; Carl Anderson, Page; Elizabeth Stamard, Bismarck; H. O. Pippin, Dickinson; Donald Dalenberg, Steele; Hank Sem, Arnegard; Bill Murey, Fargo; J. C. Gall, Grand Forks; O. Giger, Mandan; Mrs. O. Giger, Mandan; John Benno, Minot; Robert Burns, Minot.

Mr. Godwin moved that the House recess until 12:30 Monday, which motion prevailed and the House Recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-EIGHTH DAY AFTER RECESS AND  
FORTY-NINTH DAY

House of Representatives.  
Bismarck, North Dakota.  
February 22, 1937.

The House convened at 12:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Freitag moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders.

Which motion prevailed.

The Speaker called Mr. Freitag to the chair, and the  
House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 199. A Bill for an Act Making an Appro-  
priation for Relief to Destitute and Necessitous Persons, De-  
fining the Powers and Duties of the Public Welfare Board in  
Relation Thereto; Providing for Allocation of Funds to Coun-  
ties for Relief Purposes; Repealing All Acts and Parts of  
Acts in Conflict With This Act; and Declaring an Emer-  
gency.

And recommend the adoption of the Standing Commit-  
tee's amendments as follows:

In the original bill, page 2, Section 5, line 1, strike out the  
word "to" and insert in lieu thereof the word "from."

And when so amended recommend the same do pass.

Also,

House Bill No. 125. A Bill for an Act Providing for the  
Creation of the State Water Conservation Board; Prescrib-  
ing Its Powers and Duties; Providing for the Construction,  
Operation and Maintenance of a System of Works for the  
Conservation, Development, Storage, Distribution and Utiliza-  
tion of Water, and for the Acquisition of Property Necessary  
Therefor; Authorizing the Issuance of Water Conservation  
Revenue Bonds of the State Payable Solely from the Revenues  
of Such Works and the Funds Received From the Sale or  
Disposal of Water and From the Operation, Lease, Sale or  
Other Disposition of the Works, Property and Facilities to Be

Acquired Out of the Proceeds of Such Bonds; Providing for a Lien Upon Bond Proceeds; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection With This Act; Providing for Contracts With the United States; Declaring That No Debt of the State Shall Be Incurred in the Exercise of Any of the Powers Granted by This Act; Providing for Purchase Condemnation; and Otherwise Acquiring Lands and Water Rights and For the Sale Thereof; Making an Appropriation; Repealing Conflicting Acts; and Declaring an Emergency.

And recommend the same do pass.

Also,

House Bill No. 63. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

And recommend that further consideration of the same be indefinitely postponed.

Also,

House Bill No. 151. A Bill for an Act Providing for the Licensing and Operating of All Slot Machines, Ball Machines, Mechanical Weighers, Mechanical Venders, and All Other Machines or Mechanical Devices or Apparatus, Operated or Played, by Inserting a Coin, Slug or Other Object and Prohibiting the Manufacturing, Owning, Operating, Selling, Possessing, Leasing, or Transporting of Any Such Mechanical Device or Machine Not Duly Licensed; Empowering the Regulatory Department and Attorney General to Classify Such Slot Machines; Requiring the Destruction of All Machines or Devices of Similar Nature Condemned by Attorney General and the Director of the Regulatory Department; Making Unlawful Any Machine of a Similar Nature Not Duly Licensed; Requiring the Regulatory Department, All Peace Officers, the Attorney General, and All State's Attorneys of the State to Enforce This Act; Providing Penalty for Violation; Continuing in Effect Present Statutory Provisions Prohibiting or Regulating Slot Machines Until This Act Shall Become Effective; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And recommend that further consideration of the same be indefinitely postponed.

H. R. FREITAG,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

## SEVENTH ORDER OF BUSINESS

Mr. Seibel moved that the absent members be excused, which motion prevailed.

Mr. Caddell requested an extension of time on Senate Bill No. 125, which extension was granted.

Mr. Wolf moved that the House reconsider the action by which House Bill No. 315 was lost, which motion prevailed.

Mr. Godwin moved that House Bill No. 315 be placed on the calendar, which motion prevailed.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also:

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages

and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Was delivered to the Governor for his approval at the hour of 2:32 o'clock, P. M., February 17th, 1937.

HERMAN JUST,  
Chairman.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

#### FORTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 22, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. A. R. Henry of Mandan.

The roll was called and all members were present except Representatives Adam, Biberdorf, Brown, Dittmer, Dullea, Fitch, Frazier, Godwin, Johnson, Jones, Knudson of Steele, Nelson of Cass, Savre, Schimke, Severson, Symington, Thompson, Twichell and Wendland.

So a quorum was declared present.

The Committee on Revision and Correction of the Journal made the following report:



Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-sixth Day after Recess and Forty-seventh day and recommend that the same be corrected as follows:

Insert "Was read the first time and referred to the Committee on Ways and Means" on page 1226, line 58.

In line 10, page 1196, insert the following language: "And when so amended, recommend the same do pass.

In line 19, after the word also, page 1179, insert the following: "House Resolution 'K'. A Resolution Memorializing Congress to Enact Necessary Legislation and Make the Required Appropriation to Complete the Missouri River Diversion Project in North Dakota."

Strike out all of lines 19, 20, 21 and 22 on page 1179.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

N. P. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A resolution passed by 43 members of the Granville Community Club, asking for the re-enactment of the Equalization Act, House Bill No. 168, and for an adequate allocation of funds from the sales tax for school purposes.

A petition signed by 39 residents of Pierce County, urging the defeat of House Bill No. 216.

A petition signed by 39 residents of Stark County, urging the defeat of House Bill No. 216.

A petition signed by 34 residents of Cavalier County, urging the defeat of House Bill No. 216.

#### MESSAGE FROM THE GOVERNOR

##### OFFICE OF THE GOVERNOR

Bismarck

February 22, 1937.

To the Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Gentlemen:

This is to inform you that I have signed:

House Bill No. 11. A Bill for an Act Making an Appro-

apropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

At 1:30 P. M., February 19th.

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

At 3:30 P. M., February 19th.

House Bill No. 42. 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.

At 3:35 P. M., February 20th.

The above named bills have been delivered to the Secretary of State.

Respectfully,

WILLIAM LANGER,  
Governor.

WL:JEB

#### REPORT OF HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution and bills:

HOUSE CONCURRENT RESOLUTION 356, Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for a Managers Plan of County Government in Certain Counties.

Also,

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 2618, Compiled Laws of North Dakota for the Year 1913, and Chapter 140 of the Sessions Laws of North Dakota for the Year 1919, Relating to the Herd Law and How the Same May Be Established and Suspended and Providing That All Herd Laws Heretofore Established Shall Be Suspended.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also.

House Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 12, 15, 26 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927 Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, the Qualification of Applicants for Examinations, Certificates and Fees, and to Provide Penalties for Violation Thereof.

Also,

House Bill No. 275. 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.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor,

and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice-Chairman.

Representative Dittmer moved that the report be adopted, which motion prevailed, and the report was adopted.

## SIXTH ORDER OF BUSINESS

Mr. Speaker: Your Committee on Employment recommend the hiring of the following for engrossing and enrolling force for the remainder of the session. These stenographers have all had previous experience in engrossing and enrolling and the committee recommends that they be hired, as needed only, and paid 4½c for each folio typed:

Leone Hiland,  
Frances Heath,  
Mrs. Dorothy Young,  
Katherine Kellam,  
Hazel Wipper,

EDWARD SAVRE,  
Chairman.

Mr. Savre moved the adoption of the report.

## ROLL CALL

The question being on the adoption of the report and the election of Leone Hiland, Frances Heath, Mrs. Dorothy Young, Katherine Kellam and Hazel Wipper, the roll was called and there were ayes, 81; nays, 3; absent and not voting, 29.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Ritter
Beggs	Jensen	Sand
Benno	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Krank	Schauss
Black	Kraus	Semerad
Blair	LaBerge	Shure, Cass
Brusseau	Leum	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Magill	Symington
Frey	Morland	Thoreson
Gessner	Morris	Treffry
Gilberg	Myers	Trydahl
Goodlaxon	Niewoehner	Tuff
Graham	Norheim	Tweten
Greiser	Obach	Twichell
Hagen	Odegard	Wick
Haines	Olson, Adams	Williams
Hofstrand	Olson, Bowman	Wolf
Holm	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	Oglesby	Rait

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Peterson, Bot'neau
Biberdorf	Jones	Schimke
Brown	Knudson, Steele	Seibel
Burgum	Knutson, LaMoure	Severson
Dittmer	Langford	Thompson
Dullea	Levin	Traynor
Fitch	Nelson, Cass	Urschel
Freitag	Nelson, Sargent	Wendland
Frosaker	O'Brien	White
Godwin	Olson, Sargent	

So the report was adopted and the nominees were duly elected.

The Conference Committee on House Bill No. 40 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Have had the same under consideration and beg leave to report that we have been unable to agree and ask that the Committee be discharged.

For the Senate:

WM. WATT  
HENRY WILLIAMS  
R. M. STREIBEL

For the House:

E. D. SYMINGTON  
H. F. NIEWOEHNER  
GEO. H. SAUMUR

Mr. Traynor moved that the report of the Conference Committee be accepted and that the committee be discharged, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 22, 1937.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck North Dakota,  
February 22, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Fixing Duties and Compensations of the District Courts in Connection Therewith; Requiring Delivery of Assets to The Bank of North Dakota; Specifying Its Duties in Connection Therewith; Providing for Appointment of Attorneys and Providing Methods for Disposing of Assets and Closing Receiverships; Granting the Right of Appeal; Providing for Appointment of Temporary Receivers and Liquidating Committees; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments or Installments of Special Assessments, Relating to the Bidding in of Same When no Bidders at Sale, Relating to Damages to Certificate Holders When Statutory Proceedings Not Strictly Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and for the Repeal of Inconsistent Acts, and Declaring an Emergency.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Maintenance, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Pre-

scribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 22, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 77. 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.

Also,



Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also,

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Also,

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

Also,

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

SENATE CONCURRENT RESOLUTION "J".

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 22, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property

Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "Z," Amending the Constitution of the State of North Dakota and Authorizing the State of North Dakota to Enter Into the Business of Manufacturing and Selling at Wholesale and Retail of Alcohol for Motor Fuel, and Alcohol and Alcoholic Beverages for Beverage Purposes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Wolf moved that the vote by which House Concurrent Resolution "Z" was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-1," Relating to Production of Alcohol for Blending Purposes.

Have had the same under consideration and recommend that the same be amended as follows:

Line 4, after the word "of," strike out the name "C. S. Ladd" and insert in lieu thereof the word "the".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 51. A Bill for an Act Requiring a License for Establishing, Opening, Maintaining or Operating Chain Stores Within the State of North Dakota; Prescribing the License Fee to Be Paid; Disposing of the Money Derived Therefrom; Defining the Powers and Duties of the State Tax Commissioner in Connection Therewith; Providing Penalties for Violation of the Act, and Providing for Trial of Litigated Matters in North Dakota Courts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 51 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to the Provisions of This Act.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
L. C. ODEGARD,  
ED McINTEE,  
F. J. HAINES,  
OSCAR W. HAGEN,  
H. F. FREITAG,  
BOB GREISER,  
VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to the Provisions of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. SAUMUR,  
JOE D. BYRNE,  
CHAS. H. BLACK,  
J. D. HOLTHUSEN,  
L. L. TWICHELL,  
EDWIN TRAYNOR.

Mr. Traynor moved that the minority report be substituted for that of the majority, which motion was lost.

The question being on the original motion of Mr. Freitag, the motion prevailed and the report of the majority was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Provided for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Shurr moved that the vote by which House Bill No. 175 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Public Safety made the following report:

Mr. Speaker: Your Committee on Public Safety to whom was referred:

House Bill No. 195. A Bill for an Act to Provide a Plan for Assistance or Pensions for the Blind; to Secure the Benefits of the Act of Congress of the United States Known as the "Social Security Act" Enabling the States to Make More Adequate Provisions for Blind Persons; Establishing a State Agency to Administer the Plan; Creating a Fund for the Payment of the Assistance Herein Provided and the Expenses of Administering the Plan; Designating and Prescribing the Persons Entitled to Assistance or Pensions and Other Benefits Provided by this Act; Prescribing Penalties for Violation of the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act; and Levying a Tax for the Creation of the Fund.

Have had the same under consideration and recommend that the same be referred to Appropriations Committee as it carries an appropriation of \$25,000.00.

H. C. WILLIAMS,  
Chairman.

Mr. Holmquist moved that the report be adopted.

Mr. Godwin moved the previous question, which motion prevailed.

The question being on Mr. Holmquist's motion, the motion prevailed and the report was adopted.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 251. A Bill for an Act Providing for the Establishment of a North Dakota Mill and Elevator Commission, Defining Its Powers and Duties, in Respect to the Management, Operation and Control of the State Mill and Elevator Association Located at Grand Forks, North Dakota, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

GEO. H. SAUMUR,  
JOE D. BYRNE,  
CHAS. H. BLACK,  
J. D. HOLTHUSEN,  
ROB. GREISER,  
L. L. TWICHELL,  
EDWIN TRAYNOR.

Mr. Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 251. A Bill for an Act Providing for the Establishment of a North Dakota Mill and Elevator Commission, Defining Its Powers and Duties, in Respect to the Management, Operation and Control of the State Mill and Elevator Association Located at Grand Forks, North Dakota, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL,  
L. C. ODEGARD,  
ED. McINTEE,  
F. J. HAINES,  
H. R. FREITAG,  
VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report of the minority be substituted for the report of the majority.

Mr. Freitag moved the previous question, which motion prevailed.

A roll call was demanded and granted.

## ROLL CALL

The question being on Mr. Caddell's motion, the roll was called and there were ayes, 51; nays, 49; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Sand
Akland	Hultstrand	Savre
Anderson	Jensen	Schauss
Anfinson	Knutson, LaMoure	Seibel
Beaton	Krank	Semerad
Bieloh	Levin	Shurr, Bottineau
Bjornson	Livingston	Sticka
Billigmeier	McIntee	Stray
Brusseau	Myers	Thoreson
Caddell	Obach	Treffry
Frazier	Odegard	Tuff
Freitag	Olson, Adams	Tweten
Godwin	Olson, McLean	Urschel
Greiser	Peterson, Bot'neau	White
Hagen	Pewe	Williams
Haines	Rait	Wolf
Hofstrand	Ritter	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Ireland	Oglesby
Benno	Jury	Olson, Bowman
Black	Just	Olson, Sargent
Blair	Kapaun	Page
Burgum	Kraus	Peterson, Renville
Byrne	LaBerge	Peterson, Richland
Dalzell	Langford	Sandness
Day	Leum	Saumur
Fitch	McInnes	Shure, Cass
Frey	Magill	Solberg
Frosaker	Morland	Symington
Gessner	Morris	Traynor
Goodlaxon	Niewoehner	Trydahl
Graham	Nelson, Sargent	Twichell
Holm	Norheim	Wendland
Holthusen	O'Brien	Wick
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Gilberg	Nelson, Cass
Biberdorf	Johnson	Schimke
Brown	Jones	Severson
Dittmer	Knudson, Steele	Thompson
Dullea		

So the motion prevailed, the minority report was adopted, and House Bill No. 251 was indefinitely postponed.

Mr. Schauss moved that the vote by which House Bill No. 251 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 22, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Also,

Senate Bill No. 244. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Land and/or Materials to Be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Also,

Senate Bill No. 169. A Bill for an Act to Provide for the Protection of Prehistoric Deposits, Relics, Indian Mounds, Graves, Village Sites, and Other Archaeological Material. To Provide for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Material and Providing a Penalty for Violations.

Also,

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain



Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House stand recessed for the purpose of a Joint Session with the Senate, which motion prevailed and the House recessed.

### JOINT SESSION

#### WASHINGTON DAY PROGRAM

The Senate and the House assembled in Joint Session at 3:00 P. M., President Thoresen presiding.

Senator Guenther moved that the President appoint a committee of three to escort the Governor and state officials to the rostrum. The motion prevailed and Senator Guenther and Representatives Hagen and Morland were appointed to such committee.

The Governor and state officials were escorted to the rostrum.

Mr. E. J. Taylor read the Report of the Committee on Memorials.

Since the adjournment of the 1935 session of the Legislative Assembly many persons prominent in the affairs of our State have received and obeyed the Summons of the Rider on the Pale Horse. Many of them had lived out man's full allotted span of life, three score years and ten. Among those who have passed away during the past two years were one former Governor, two former Judges of the Supreme Court, a former District Judge, a former State Treasurer, three men who served as Railroad Commissioners, three men who served in the Territorial Legislature, three in the State Constitutional Convention, six who served in both Senate and House, seven who served in the Senate only and twenty-six who served in the House only.

The following is a list of the names of those whose memory we honor today, with date of death and time when in office:

Members of the Constitutional Convention, 1889—

Roger Allin, Walsh County, died January 1, 1934.

Charles Carothers, Grand Forks County, died November 11, 1936.

Richard Bennett, Grand Forks County, died December 7, 1936.

Members of Territorial Council—

Roger Allin. (See under Governor).

Smith Stimel, died April 14, 1935. Territorial Council, 1889.

Hugh McDonald, died September 17, 1935. Territorial Council, 1889.

Member Territorial Council and House—

A. L. Van Osdel, died July 24, 1936. Territorial House, 1885; Territorial Council, 1889.

Those who served in both Houses of the State Legislature—

William Martin, Morton County, died January 11, 1936. He was a member of the House, 1907 to 1913, inclusive, and of the Senate, 1915, 1917 and 1923 to 1931, inclusive.

Harry T. Peterson, Mountrail County, died May 2, 1936. Mr. Peterson was a member of the House in 1931 and 1933, and of the Senate, 1935.

Henry McLean, Cavalier County, died August 6, 1936. He was a member of the House in 1899, and of the Senate from 1901 to 1917, inclusive. Mr. McLean was elected one of the Presidential Electors on the Republican ticket in 1924.

E. L. Garden, Bottineau County, died September 5, 1936, was a member of the House from Bottineau County, 1907 and 1909 and of the Senate, 1911-1913.

Thos. Pendray, Stutsman County, died July 24, 1935, was a member of the House in 1913 and 1915, and of the Senate in 1917-1919.

James McCormick, Ramsey County, died December 2, 1935, was a member of the House in 1889-1890. (First Session of the Legislature) and of the Senate in 1891.

Ole Syvertson, Rolette County, died December 28, 1936, was a member of the House in 1907, and of the Senate in 1909-1911.

Those who served in the Senate only—

C. G. Ritchie, Sheridan County, died April 2, 1935, was Senator, 1925-1929.

Fred Baker, Ramsey County, died December 13, 1935, was member of the State Senate, 1909-1911.

Joseph Poupore, Grand Forks County, died February 21, 1936, was a member of Senate, 1929-1931.

H. H. Steele, Renville County, died May 7, 1935, was Senator, 1909-1911.

George E. Duis, Grand Forks County, died September 6, 1936, Senator, 1909-1911.

William Renwick, Pembina County, died December 10, 1936. Senator, 1929-1931.

## Members of the House of Representatives—

- Amasa P. Peake, Barnes County, died May 11, 1935, was a member of the House in 1907.
- George Olson, Ransom County, died May 25, 1935, member of the House in \_\_\_\_\_
- C. L. Lindstrom, Benson County, died July 1, 1935, member of House, 1895 and 1897.
- Robert Miklejohn, Cavalier County, died August 17, 1935, was a member of the House in 1905.
- John B. Freid, Stutsman County, died September 7, 1935. House member, 1913.
- James Collins, Grand Forks County, died September 9, 1935, was House member, 1909 and 1911.
- Matt Johnson, Bottineau County, died November 20, 1935. House member, 1909.
- Frank Gessner, Ramsey County, died December 9, 1935. House member, 1935.
- Einar Twete, Divide County, died December 19, 1935. House member, 1929, 1931 and 1933.
- H. J. Blanchard, Stark County, died December, 1935. House member, 1915 and 1917.
- Frank M. Brown, Stutsman County, died January 10, 1936. House member, 1927 and 1929.
- John R. Maddock, Benson County, died January 16, 1936. House member, 1917, 1919 and 1921.
- J. T. Nelson, Morton County, died March 20, 1936. House member, 1931 and 1933.
- Henry L. Reade, Burleigh County, died April 7, 1936. House member, 1901.
- M. M. Borman, Richland County, member of the House, 1925.
- Frank J. Langer, Cass County, father of Governor William Langer, died April 19, 1936. Member of first session of State Legislature, 1889-1890.
- Alix Anderson, Stutsman County, died April 28, 1936. House member, 1925.
- J. B. Dickson, Dunn County, died May, 1936, House member, 1915.
- A. L. Peart, Cass County, died July 15, 1936. House member, 1909 and 1911.
- H. N. Joy, Pembina County, died September 1, 1936. House member, 1897.
- John O. Bye, Cass County, died September 3, 1936. House member, first session, 1889-1890.

T. O. Burgum, Cass County, father of Representative L. R. Burgum, died November 17, 1936. House member, 1905 and 1907.

James A. Weed, Logan County, died December 21, 1936. House member, 1903.

Ralph Hall, Foster County, died January, 1937. House member, 1891 and 1893.

John Johnson of Gardar, Pembina County, North Dakota, died in December, 1936. He migrated here with his parents from Iceland when a mere boy. Was a member of the House of Representatives in 1907.

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Hon. George Nichols, Fargo, died August 1, 1935. Mr. Nichols was elected State Treasurer in 1894 and served two terms.

Hon. George Keyes, Dickey County, died March 6, 1935. Mr. Keyes served as Railroad Commissioner, 1895 to 1898, inclusive.

Hon. Curtis J. Lord, Towner County, died December 31, 1936. Mr. Lord was Railroad Commissioner, 1901 to 1904, inclusive.

Hon. W. H. Mann, Morton County, died March 22, 1935. Mr. Mann was Railroad Commissioner, 1909 to 1916, inclusive.

Time will not permit an individual tribute to the memory of each of the deceased. It was deemed proper that special mention be made of those who were among those of the founders of this State. The fact that those who served the people at a later time are not specially honored does not in any way disparage the valuable contributions they made to our State's history or the high esteem in which they were held by their constituents.

It should be noted that four men who were members of the first legislative assembly of this state passed away since our last adjournment. They are entitled to special mention on account of the distinctive services they rendered this state at the very beginning and for their long and useful lives in the civic and industrial affairs of this state until the close of their long career.

Frank J. Langer, Father of our distinguished Governor, William Langer, represented the 11th District, a part of Cass County in the first session and proved himself to be a useful member of that body. The journal of the House shows that he was attentive to duty and supported the measures that laid the solid foundation of our state. After retiring from the legislature Mr. Langer devoted himself to his extensive business, including large farming operations in which he was remarkably successful. He passed away April 10, 1936, full of years, surrounded by his devoted family, and honored and respected by a large circle of friends.

John O. Bye, also a representative from Cass County in the first session, was a faithful member of that body. He lived to be more than ninety years of age. He died September 3, 1936.

James McCormick of Ramsey County was the third member of the first session who departed this life since our last adjournment. He, like his colleagues Messrs. Langer and Bye, contributed his full share to the founding of North Dakota and like them he lived nearly an average life time beyond man's allotted three score years and ten and died after a long and useful life surrounded by those who knew him best and esteemed him for his sterling qualities.

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Governor—

ROGER ALLIN

Roger Allin was one of the builders of North Dakota. He lived in quiet, honorable retirement for many years, and his name is not familiar to the generation of men and women who are now conducting the affairs of state.

Mr. Allin was born in Devonshire, England, Dec. 18, 1848. When he was three years old the family removed to Oshawa, Ontario, where he grew to manhood and received his education. In 1860 Mr. Allin removed to the State of Michigan and after a short residence in that State he came to Dakota Territory in 1881, locating in Fertile Township, Walsh County, where he followed farming with marked success.

Mr. Allin was prominent in public affairs during late territorial and early statehood days. He served in all the important offices of his township. In 1886 he was elected to the territorial council (upper house of the territorial legislature) and was re-elected in 1888. He was elected a member of the State Constitutional Convention which convened July 4th and adjourned August 17, 1889, and at the first state election he was chosen state senator from the third district for the first session of the state legislature which convened November 19, 1889, and adjourned March 18, 1890. Mr. Allin was elected lieutenant-governor at the election in 1890 and presided over the second session of the state senate in 1891.

In 1892 he was prominently mentioned for governor and had a large following in the Republican convention which renominated Gov. Andrew Burke of Cass County, who was then serving his first term. There was much bitterness in the Republican ranks at that time. The populist party reached the zenith of its power that year and nominated a full ticket for state offices, choosing Hon. Eli C. D. Shortridge of Grand Forks County as the candidate of governor. At that time the Democrat party was weak in this State and seeing an opportunity to defeat the Republicans they endorsed the populist ticket with the exception of congressman. The fusion ticket was elected with the exception of

Secretary of State, the late C. M. Dahl of Bismarck being the only Republican candidate to be elected.

When the Republican convention met in 1894 there was no other candidate mentioned for governor than Roger Allin, and at the election that year he was elected the fourth chief executive of the State. He served only one term and retired to his Walsh County home where he resided until his death which occurred January 1, 1936. While in public life, Mr. Allin had the esteem of his fellow-citizens to a remarkable degree, and this continued with him in his retirement. It can be said of him that he was a true man, a good citizen, faithful and conscientious in all things.

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#### MR. SMITH STIMMELL

Smith Stimmell, 92, sole surviving member of President Lincoln's personal bodyguard and pioneer Fargo attorney, died in his Fargo home April 14, 1935. Death was due to complications of old age.

Mr. Stimmell was one of the picked men of the Seventh Independent Ohio Cavalry troop selected to act at the White House as the personal bodyguard of Abraham Lincoln during the Civil war. His first enlistment for Civil war service was in an Ohio volunteer infantry regiment, recruited for three months' duty. At the end of that time he entered Ohio Wesleyan university to study law, but at the close of his first year he enlisted with the Seventh Independent Ohio cavalry and was selected as one of the guards for the president. This personal bodyguard was still in service as such at the time of Lincoln's assassination, but was dismissed by President Andrew Johnson soon after and was mustered out in September, 1865.

Resuming his studies, Mr. Stimmell was graduated from Ohio Wesleyan in 1869 and then studied for two years at the Cincinnati law school. He practiced in Cincinnati several years and then removed to Fargo where he became prominent in his profession as well as in Republican politics. In 1888 he was elected president of the territorial council and was the last to hold that office as the territory was divided into the states of North and South Dakota upon their admission to the union in 1889. He continued in active legal practice until 1921.

While serving as a member of Lincoln's bodyguard Mr. Stimmell made an intimate study of the characteristics and traits of the president and used this knowledge in lectures in many states. He also had written many articles on Lincoln.

Mr. Stimmell was born on a farm near Columbus, Ohio, December 17, 1842. He was married twice. His first wife, who was Margaret Goode of Sydney, Ohio, died in 1902. Later he married Annie J. Sibley of Fargo, who survives.

Other survivors are two sons, William G. and George of San Francisco by his first marriage, and a daughter and son, Mildred and Howard, by his second marriage.

Until shortly before his death Mr. Stimmell had been in good health, although it has been some years since he engaged in business or in practicing law. A well known figure on Fargo streets, he numbered his acquaintances in this area among the thousands. He was active in G. A. R. activities, and took a leading part in all celebrations incident to patriotic holidays.

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#### HON. GEORGE H. MOELLRING

Former Supreme Court Justice George H. Moellring, age 57, passed away at Bismarck May 31st, 1935.

Judge Moellring was appointed to the state supreme court in October, 1933, upon the resignation of L. E. Birdzell to accept an appointment in Washington. He served until January, 1, 1935, and at the time of his death was an assistant attorney general under Honorable P. O. Sathre.

Prior to acceptance of the supreme court post Judge Moellring had served 13 years on the bench in the fifth district and had been re-elected to a six-year term in 1932.

Born in Quincy, Ill., November 14, 1878, Judge Moellring received his education in the public schools of Adams County and subsequently attended Chaddock college at Quincy, where he took a part of his law course. After completing his education at Highland Park college, Des Moines, Ia., he practiced law at Mason City, Ia., before coming to North Dakota in 1902, settling at Langdon. Three years later he moved to Ray, Williams county, where he practiced law until his election to the district court in 1921.

Active in charitable work, Judge Moellring was a member of the advisory board of the Florence Crittenton home, Fargo, the advisory board of the Children's home at Fargo, and a member of the board of directors of the North Dakota Tuberculosis association.

He was a member of the Methodist Episcopal church and of the Odd Fellows, Modern Woodmen, Knights of Pythias and Ancient Order of United Workmen.

During the judge's service on the district court bench of the Fifth Judicial District he made many friends, not alone among the litigants and people who had business in his court, but among the lawyers who appeared before him. He was a very unassuming man, and made no pretensions of being a great judge, but because of his fine disposition, equable poise, care and attention to his judicial duties, and because of his ever apparent desire to act fairly, he was not only respected but brought to himself the admiration of litigants and lawyers alike.

He did not indulge in technicalities, but rather sought to discover the real issue in every case, and to treat those issues conscientiously and in a manner fair to all interested parties.

He will always be remembered with respect and high esteem, not only because of his attitude while on the bench and in the exercise of his duties, but because we believe all will agree that he was a man of very high moral character and always sought the right, and endeavored to do right.

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#### JUDGE E. T. BURKE

Judge E. T. Burke died in Flossmoor, Illinois, on Christmas Day, December 25th, 1935. He was an attorney for the Department of Justice at Washington, D. C., and was visiting in Illinois when he was stricken.

Judge Burke was born near Minneapolis, Minn., November 5th, 1870, son of Mr. and Mrs. John Burke. His parents moved to North Dakota in 1871.

He attended the University of North Dakota for two years before transferring to the University of Minnesota, where he received his law degree.

He began the practice of law at Valley City and was elected state's attorney of Barnes County, serving from 1901 to 1905.

He was elected judge of the Fifth Judicial District. After serving two years of his second term he resigned to become Judge of the Supreme Court in 1910.

Retiring from the bench in 1917, he continued to live in Bismarck until 1926, when he was appointed a special investigator for the Department of Justice and moved with his family to Washington.

Judge Burke was an amiable man, a good lawyer, and he made a very acceptable District and Supreme Court Judge.

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#### HON. FRANK E. FISK

Frank E. Fisk was born at Fulton, Ill., November 30th, 1877. He was educated in public schools at Morrison, Ill. He later attended school at the Northern Illinois college at Dixon, following which he studied telegraphy at which he worked to earn money to complete his law education.

Born in a family of lawyers, Judge Fisk went to Grand Forks to study law under George A. Bangs and C. J. Fisk, supreme court member, and a brother of the Williston man.

Frank Fisk was admitted to the bar in 1899 and the next year he went to Bottineau to open his practice in partner-



ship with E. B. Goss. He remained in Bottineau until 1904 when he came to Williston to enter the firm of Greenleaf, Leighton and Fisk.

He was also a partner of the late Geo. A. Moellring and George Shafer before he received his district court appointment in 1911 under Governor Burke.

Frank Fisk was district judge from 1911 to 1920 when he relinquished the bench to Judge George Moellring. He returned to his private practice in the city and since that time was the senior member of the firm of Fisk, Craven and Taylor.

Four years ago he suffered a stroke which left him partially paralyzed but despite his handicap he was at his office daily. Last year he was named attorney for the Home Owners' Loan Corporation and helped many local persons to re-finance their homes. He was a charter member of the Williston Elks lodge and he was likewise a member of the Knights of Pythias. He was also a member of the American Bar Association.

He passed away Friday night, June 21st, 1935, at his home in Williston. He was found dead in his chair on the porch by his wife. He had returned from a motion picture show a few minutes before and sat down on the porch as was his habit shortly before retiring.

Judge Fisk was widely known in judicial circles throughout North Dakota and for years was considered one of the best legal minds in the state. For 31 years the former Williston judge had made Williston his home and in late years claimed a wide circle of friends throughout the entire upper Missouri country.

Senator Watt introduced the following resolutions and moved their adoption.

WHEREAS, since the close of the Twenty-fourth Legislative Assembly many former officers including forty-two men who served in one or both houses of the legislature, have been called from life,

AND WHEREAS, they all rendered a distinct and lasting service to this state not only in public office but in their private capacities by loyalty to duty and high ideals,

THEREFORE, BE IT RESOLVED, that in the death of these honorable and honored men, we severally and unitedly express our deep appreciation of them, and of the lives they lived, and of the services they rendered, not only in their public life but as earnest, loyal citizens and residents of their respective communities, and that we mourn their departure and express our deepest sympathy for the members of their families.

BE IT FURTHER RESOLVED, that the lessons we can learn from the lives of those who have preceded us are constant devotion to our country and that we must love and

defend our country for our country's sake. We must faithfully and courageously discharge the duties which devolve upon us in whatever station or sphere of life we may be placed. We must transmit unimpaired to those who follow us the heritage we have received from those whose lives we memorialize today.

AND BE IT FURTHER RESOLVED, that these memorials be printed in the House Journal of this legislative day and that duly enrolled copies thereof be sent to the present head of the surviving family of each of said deceased.

Senator Watt moved that the resolution be adopted.

Which motion prevailed.

Address by former Governor George H. Shafer.

Singing of "America," led by Representative Burgum.

Mr. Twichell moved that the Joint Session dissolve.

Which motion prevailed.

#### AFTER RECESS

The House convened at 4:45, pursuant to recess, Speaker Dahl presiding.

Mr. Godwin moved that the House recess until 5:00 P. M., which motion prevailed and the House recessed.

The House convened at 5:00 P. M., pursuant to recess, Speaker Dahl presiding.

A Minority of the Committee on State Affairs made the following report:

Mr. Speaker: A Minority of Your Committee on State Affairs to whom was referred:

House Bill No. 267. A Bill for an Act Authorizing, Empowering and Directing the Industrial Commission, in Its Discretion, to Secure Plans, and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements for the Installation and Completion of a State Printing Plant at Such Place Within the State of North Dakota as May Seem Most Desirable; to Do All Things Necessary in Order to Fully Complete, Erect and Place in Operation Such Printing Plant; Providing for an Appropriation and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. F. SAUMUR  
J. D. BYRNE  
CHAS. H. BLACK  
J. D. HOLTHUSEN  
L. L. TWICHELL  
EDWIN TRAYNOR

A Majority of the Committee on State Affairs made the following report:

Mr. Speaker: A Majority of Your Committee on State Affairs to whom was referred:

House Bill No. 267. A Bill for an Act Authorizing, Empowering and Directing the Industrial Commission, in Its Discretion, to Secure Plans, and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements for the Installation and Completion of a State Printing Plant at Such Place Within the State of North Dakota as May Seem Most Desirable; to Do All Things Necessary in Order to Fully Complete, Erect and Place in Operation Such Printing Plant; Providing for an Appropriation and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL  
L. C. ODEGARD  
ED. McINTEE  
F. J. HAINES  
OSCAR W. HAGEN  
H. R. FREITAG,  
ROB. GREISER  
VAL P. WOLF

Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The question being on the motion of Mr. Freitag, a roll call was demanded and granted.

A call of the House was demanded and granted.

Mr. Treffry moved that further proceedings in connection with the call of the House be dispensed with, which motion was lost.

Mr. Akland moved that further proceedings in connection with the call of the House be dispensed with, which motion prevailed.

#### ROLL CALL

The question being on Mr. Freitag's motion, the roll was called and there were ayes, 54; nays, 49; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Sand
Akland	Hultstrand	Savre
Anderson	Jensen	Schauske
Anfinson	Knutson, LaMoure	Schimke
Beaton	Krank	Seibel
Beggs	Levin	Semerad

Messrs.	Messrs.	Messrs.
Bieloh	Livingston	Shurr, Bottineau
Billigmeier	McIntee	Sticka
Bjornson	Myers	Stray
Brusseau	Obach	Thoreson
Caddell	Odegard	Treffry
Frazier	Olson, Adams	Tuff
Freitag	Olson, Bowman	Tweten
Godwin	Olson, McLean	Urschel
Greiser	Peterson, Bot'neau	White
Hagen	Pewe	Williams
Haines	Rait	Wolf
Hofstrand	Ritter	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	Norheim
Benno	Ireland	O'Brien
Black	Jones	Oglesby
Blair	Jury	Olson, Sargent
Burgum	Just	Page
Byrne	Kapaun	Peterson, Renville
Dalzell	Kraus	Peterson, Richland
Day	LaBerge	Sandness
Fitch	Langford	Saumur
Frey	Leum	Shure, Cass
Frosaker	McInnes	Solberg
Gessner	Magill	Symington
Gilberg	Morland	Traynor
Goodlaxon	Morris	Trydahl
Graham	Niewoehner	Twichell
Holm	Nelson, Sargent	Wendland
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Severson
Brown	Knudson, Steele	Thompson
Dittmer	Nelson, Cass	Wick
Dullea		

So the motion prevailed and the report of the Majority was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

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 in lieu thereof:

"For an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. DEFINITIONS.) The following words: 'Motor Vehicle', 'Farm Tractor', 'Owner', 'Operator', 'Non-Resident', 'Public Highways', as used in this Act shall be interpreted to have the meanings usually ascribed to them, except on those instances where the context clearly indicate a different meaning.

"Section 2. Except as provided by Section 3 of this Act no person shall operate or drive a motor vehicle upon any highway of this State after the taking effect of this Act without first obtaining a license for that purpose as provided in this Act. No such license shall be issued to any person under the age of sixteen years except as hereinafter provided, or to any person who is physically or mentally incompetent to safely operate a motor vehicle upon the public highway, or to anyone of the following:

"A. Any person whose driver's license has been withheld or revoked either by this State or any other State of the Union during the period in which such withholding or revocation shall be in full force and effect. In case of revocation this disqualification shall terminate one year after such revocation except when such revocation is stayed or suspended during such year, in which event the period of any such stay or suspension shall be added to the year.

"B. Any person who is a habitual drunkard or is addicted to the use of narcotic drugs.

"C. Any person who has been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded and who has not at the time of his application for the license required herein, been declared restored to competency by judicial decree, or released from a hospital for the insane or feeble-minded upon the certificate of the superintendent that such person is competent.

"D. Any person who is afflicted with or suffering from a mental or physical disability or disease such as to prevent such person from exercising reasonable control of a motor vehicle; providing that deafness in itself shall not be considered as a disqualification.

"E. Any person who shall have been found negligent in the operation of a motor vehicle in any civil action for damages growing out of an accident and against whom a judgment shall have been rendered on account thereof, unless such person shall have furnished and filed proof of ability to respond in damages for any injury to person or property thereafter occurring. Such disqualification shall continue for a period of two years from the date of such judgment. Such disqualification shall not apply during any period during which the enforcement of such judgment shall be legally stayed, but the period of any stay shall be added to the said two year period of disqualification.

"F. Any person who shall have been convicted of three minor offenses during the two-year period covered by any single license.

"Section 3. EXEMPTIONS.) Every person driving or operating a road roller, road machinery, or any farm tractor or implement, temporarily drawn or moved upon the highways, and every person in the service of the army, navy, marine corps of the United States, when furnished a driver's permit and operating an official motor vehicle in such service shall be exempt from license under this Act.

"Section 4. LICENSE TO PERSONS UNDER SIXTEEN YEARS.) Upon the recommendation in writing of the County Judge of the County wherein the child resides, an automobile driver's license may be issued to any child, otherwise qualified, who is less than sixteen years of age but more than fourteen years of age. A license issued pursuant to this action shall be of a different color than the licenses issued to persons who are sixteen years of age or over, so as to be readily distinguishable from such licenses, and shall have stamped across the face thereof the words, 'Not good after \_\_\_\_\_ (the date when such child becomes sixteen years of age).' No County Judge shall make a recommendation for the issuance of an automobile driver's license to a child who is less than sixteen years of age unless such child, accompanied by his parent or guardian, shall appear in person before such Judge and shall satisfy the Judge that such child is at least fourteen years of age, that he appears to be qualified to safely operate an automobile, and that it is necessary for such child to drive his parent's or guardian's automobile without being accompanied by some person over the age of sixteen. The parent or guardian shall at all times be responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child.

"The provisions of this section shall not authorize such child to drive a motorcycle, commercial truck, motor bus, or taxicab.

"Section 5. APPLICANT'S EXAMINATION.) In case any application for a motor vehicle operator's license, or other information coming to the attention of the State Highway Department of the State of North Dakota, under whose supervision and control this Act shall be carried out, suggests or indicates that the applicant might be lacking in qualifications necessary to entitle him to such license, such applicant may be

required to undergo an examination under oath, and such physical, mental, and driving tests as may be necessary to determine his qualifications; to facilitate such examination and tests, the State Highway Department may require any chief of police or sheriff to conduct the same in accordance with such reasonable rules as such State Highway Department may prescribe. The officer conducting such examination shall forward a report of the same on a blank furnished by said Highway Department, with a recommendation as to whether or not an operator's license should be issued to the applicant. When said state Highway Department shall require a physical examination the cost of same shall be paid by the applicant, but no physician shall charge more than \$2.00 for such examination. In such examinations the persons to be examined shall furnish the motor vehicle to be used in connection with the examination and shall appear at such time and place in the city or village nearest the resident as the State Highway Department shall Designate.

“SECTION 6. APPLICATION FOR LICENSE—FILING, FORM, CONTENTS.) Applications for motor vehicle operator's license shall be filed with the State Highway Department upon blanks furnished under his authority and shall be verified before a person authorized to administer oaths. The form of such application shall be determined by the State Highway Department and shall include the name, age, color of eyes, color of hair, complexion, sex, height, weight, race, residence, and business address and occupation of the applicant and also state whether the applicant has been licensed as an operator of a motor vehicle before, and if so by what State and whether or not such license has ever been revoked, and if so the date and cause of such revocation; applicant shall further state the previous experience of the applicant in operating an automobile, whether or not the applicant has ever been adjudged insane, an idiot, imbecile, epileptic, or feeble-minded, and whether at the time of the application the applicant has been declared to have been restored to competency by a judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent, or whether the applicant is suffering from any physical or mental disability or disease and if so, the nature and extent thereof, giving the names and addresses of the physicians then or theretofore in attendance upon the applicant. If the applicant has been declared restored to competency by a judicial decree, a certified copy of such decree shall be attached to such application, or if the applicant has been released from a hospital for the insane or feeble-minded upon the certificate of the superintendent that such person is competent, a certified copy of such certificate shall accompany the application.

“The application shall state such other and further information as the State Highway Department may require, including all the liability insurance, if any, and name of same, which applicant carries, or by which he will be protected if the license is issued, and what accidents he has previously had and in what amount and manner and by whom the same have been compensated or settled, and if not paid

for or settled, the reasons therefor, and such further details as to previous accidents and compensation or lack of compensation for results of same as may be requested by the Highway Department.

"Section 7. LICENSE FEE.) The fee for such operator's license shall be the sum of one dollar for the head of the family and shall be for each current term of two calendar years, or part thereof, and shall be renewable at the beginning of each term. For each additional member of the family who operate the family motor vehicle, the fee shall be fifty cents for each such additional member of said family and also be for a period of two years. Applicants who are not the head of a family and who are over the age of twenty-one shall be required to pay a one dollar fee. When application is made after a revocation or suspension of a former license the same fee shall again be paid as though the application were being made for the original license. All driver's licenses issued under the provisions of Chapter 175 of the 1935 session laws of the State of North Dakota shall become invalid.

"In the event of the loss or destruction of such operator's license card the person to whom it was issued may obtain a duplicate thereof by filing an application with the State Highway Department and by paying a fifty-cent fee. Whenever a motor vehicle operator's license card becomes worn or mutilated to such an extent that it is not legible but is not wholly destroyed or lost, the holder of such card shall immediately apply to the said State Highway Department for a duplicate and forward the said fee of fifty cents, and a duplicate will be issued.

"Section 8. LICENSE CARDS—USE.) The State Highway Department shall assign a number to each motor vehicle operator's license and keep proper record of all licenses issued, which record shall be open to public inspection. A license card shall be issued to each licensee in the form of a triple license card issued by the State Highway Department and shall contain the name and postoffice address of, the distinguishing number assigned thereto, and a brief description of the license for the purpose of identification. Upon the receipt of such card, the licensee shall endorse his or her name thereon in ink in the space provided for that purpose and such license shall not be valid until such card is so endorsed. Such card shall be carried at all times by the licensee when operating a motor vehicle upon the public highways of this State and shall be submitted for examination to any public officer upon demand. For the purpose of verification any officer may require the licensee to write his signature in the presence of such officer. Upon change of Post Office address by the licensee he shall immediately endorse his new address on the back of his license card and notify in writing the State Highway Department of such change.

"Section 9. STATEMENT BY MAGISTRATE AS TO AN OFFENSE.) That any magistrate upon finding any



licensee guilty of any minor offense shall detach one of the three license cards and forward same immediately to the State Highway Department with a statement of the true facts of the offense. Any magistrate who shall fail to comply with this Act shall be guilty of a misdemeanor.

“Section 10. FOREIGN LICENSES AND THE RIGHT TO OPERATE A MOTOR VEHICLE WITHIN THE STATE.) A non-resident who has been duly licensed as an operator or a chauffeur under a law requiring the licensing of operators or chauffeurs in his home state or province, and which license shall still be in full force and effect and which has not been suspended or revoked, and which he has in his immediate possession, such licensee shall be permitted, without examination or possessing a license as provided under this section, to drive a motor vehicle upon the highways of this state except as hereafter provided. It shall be unlawful for any non-resident, whose home state or province does not require the licensing of operators, and who has not been licensed as an operator in his home state to operate any motor vehicle upon any highway in this State without first obtaining a driver's license, except that any such non-resident non-licensed, who is over the age of sixteen years, and who is the owner of a motor vehicle which has been duly registered for the current year in the state or province of which the owner is a resident, may operate such motor vehicle upon the highways of this State for a period of not more than thirty days in any calendar year without making application for or obtaining a driver's license under this section.

“Provided, however, that such non-resident must have in his possession while so driving, an official certificate showing the lawful registry of the motor vehicle in his possession, and may be required at any time or place to prove the lawful possession or the right to operate such vehicle and to establish his proper identity.

“Any non-resident or other person whose license or privilege to operate a motor vehicle has been suspended or revoked shall not operate a motor vehicle in this State during the period of such suspension or within one year after the date of such revocation.

“Section 11. FALSE STATEMENT. PENALTY.) Any person convicted of making a false statement in the application for license under this Act shall have committed a misdemeanor and be subject to the maximum penalty thereof and his or her license shall immediately be revoked for a period of two years from the date of such revocation.

“Section 12. STATE HIGHWAY DEPARTMENT TO REVOKE LICENSES.) The State Highway Department shall forthwith revoke the license of any person and require that the certificate of license be returned to him upon receiving a record of the conviction of such person for any of the following offenses:

“A. Manslaughter or homicide on any degree arising out of the operation of a motor vehicle.

"B. Driving a motor vehicle while under the influence of intoxicating liquor or narcotic drugs.

"C. Any crime punishable as a felony under the motor vehicle laws of this State, or any other felony in the commission of which a motor vehicle was used.

"D. Conviction or forfeiture of bail upon two charges of reckless driving within the preceding twelve months.

"E. Conviction of a driver of a motor vehicle involved in an accident resulting in the death or injury of another person upon a charge of failing to stop and disclose his identity at the scene of the accident.

"F. The State Highway Department upon receiving the record of conviction of any person upon a charge of operating a motor vehicle while the license of such person is suspended, shall immediately extend the period of such first suspension for an additional six months, and such person, driving a motor vehicle upon the highways of this State, while such license is suspended or revoked, shall be guilty of a misdemeanor.

"G. Any person who shall have been convicted of three minor offenses during the two-year period covered by any single license.

"Section 13. COURT REVIEW OF ACTION OF STATE HIGHWAY DEPARTMENT.) The action of the State Highway Department in refusing to issue a license or in declaring a suspension or revocation of the driver's license of any person under the provisions of this Act shall be subject to review by action in the District Court of Burleigh County, North Dakota, with the right to appeal as in other civil actions, and if it shall appear that the action of the State Highway Department has been unlawful or unreasonable, such action shall be reversed with directions requiring action which shall be according to law.

"Section 14. MAY APPLY FOR NEW LICENSE.) Any person whose license has been revoked under the provisions of this Act, may, after one year from the date of such revocation, petition the district court of Burleigh County for an order directing the State Highway Department to issue a certificate of license to him. The district court is hereby given jurisdiction and it shall be the duty of such court to set the matter for hearing upon ten days' written notice to the said Highway Department. At the hearing the court shall take testimony and examine witnesses to determine whether the petitioner is entitled to such license and shall make its order granting or denying the petition. If the petition is granted the said Highway Department, upon receipt of a certified copy of the Order of the Court, shall issue such license. If the petition is denied no renewal of such petition shall be made for a period of one year from the date of the order of the court.

"Section 15. FEES TO BE PAID INTO STATE TREASURY—HOW APPROPRIATED AND DISTRIBUTED.) All moneys received under the provisions of this Act shall be paid

monthly into the State Treasury and the same is hereby appropriated out of the treasury, into a special fund to be used by the Motor Patrol branch of the State Highway Department, or so much thereof as shall be necessary for that branch of the Department, and the balance to flow into the General Fund of the State Treasury.

"Section 16. SHERIFFS TO BE LOCAL AGENTS.) The sheriff of each county shall be appointed as local agent for the purpose of issuing and causing to be issued, driver's licenses in each village and municipality of his respective county, and his compensation and expenses shall be as hereafter provided in Section 17 of this Act.

Section 17. ADMINISTRATION OF EXPENSES.) The driver's license division of the State Highway Department shall pay the sheriff ten cents per license remitted, for expense and compensation for the extra work and expense as local agent under this Act. This ten cents per license shall be retained by the sheriff in addition to his regular salary, and not construed as a civil fee.

"Section 18. If any of this Act shall be held to be unconstitutional such unconstitutionality shall not be held to affect the remaining parts of this Act.

"Section 19. INCONSISTENT ACTS REPEALED.) Chapter 175 of the 1935 Session Laws of the State of North Dakota and all other Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

"Section 20. EMERGENCY.) This Act is 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.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 22, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount

Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD.

Secretary.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 274. A Bill for an Act Creating the Office of State Liquor Commissioner of the State of North Dakota; Fixing Powers and Compensation and Imposing Duties; Permitting Such Commissioner to Engage in the Wholesale Alcoholic Liquor Business in the State of North Dakota; Authorizing the Commissioner to Promulgate Rules and Regulations and Do All Acts and Things Necessary in Carrying Out the Provisions Hereof; Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OSCAR W. HAGEN,  
GEORGE BJORNSON,  
ED. McINTEE,  
F. J. HAINES.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 274. A Bill for an Act Creating the Office of State Liquor Commissioner of the State of North Dakota; Fixing Powers and Compensation and Imposing Duties; Permitting Such Commissioner to Engage in the Wholesale Alcoholic Liquor Business in the State of North Dakota; Authorizing the Commissioner to Promulgate Rules and Regulations and Do All Acts and Things Necessary in Carrying Out the Provisions Hereof; Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. D. HOLTHUSEN,  
JAMES CADDELL,  
EDWIN TRAYNOR,  
L. L. TWICHELL,  
CHAS. H. BLACK,  
JOE D. BYRNE,  
VAL. P. WOLF,  
ROB GREISER,  
GEO. H. SAUMUR,  
VAL. P. WOLF, Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Shure of Cass moved that the vote by which House Bill No. 274 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees and Hedge Plants as a Credit on the Payment of Real Estate Taxes on the Land on Which Said Trees or Hedge Plants are Planted, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything in the printed bill after the words "A BILL" and insert in lieu thereof the following:

"For an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. BOUNTY FOR TREE PLANTING.) Any person who shall hereafter plant, cultivate and keep in growing, thrifty condition one acre and not more than ten acres of prairie land with any kind of forest trees, and shall plant, or have planted, said trees, shall be entitled to four dollars for each acre so planted and cultivated and two (\$2.00) dollars bounty per acre for each succeeding year up to four, in which such trees are kept cultivated and growing, to be paid out of the general fund of the county wherein such trees are so planted, but such bounty shall not be so paid unless such grove be maintained upon a tract of not less than eighty acres and shall have at least four hundred living trees in each acre so maintained and kept in growing condition, and in no case shall any bounty be paid in excess of the amount of real estate taxes levied for such year upon the quarter section of land of which such parcel of land planted to trees is a part.

"SECTION 2. ALONG HIGHWAYS. LIMIT OF BOUNTY.) Every person planting such forest tree or trees suitable for hedge in rows as boundary lines along the public highways or on any other portion of his premises, which rows shall contain not less than two living trees to each rod and who shall in other respects comply with the provisions of this article shall annually receive a bounty at the rate of two dollars for every eighty rods of each row in length; provided, however, that no bounty shall be paid or deduction allowed under the provisions of this article for a longer period than five years upon any one tract or row of trees.

"SECTION 3. PROOF OF PLANTING.) Any prson wishing to secure the benefits of this Act shall, during the month of June, next after expiration of one year after planting such grove, row or rows of trees, and annually thereafter, file with the county auditor of the county in which the same is located, a correct plat of the land, describing the section or fraction thereof on which said grove, row or rows have been planted or cultivated, and shall make due proof under oath of such planting and cultivation as well as of title to the land; setting forth the facts in relation to the growth and cultivation of the grove, row or rows of trees for which such bounty is demanded; provided, this article shall not apply to any railroad company for planting trees within two hundred feet of its track for the purpose of making a snow fence, nor to any trees planted upon land held and acquired under the timber culture laws of the United States.

"SECTION 4. EXAMINATION AND REPORT BY ASSESSOR.) It is hereby made the duty of the assessor of every town or county at the time of making his assessment, to ascertain whether or not trees have been planted by any land owners in his town or county and for which compensation is claimed under this article, and in case trees have been planted and such compensation is claimed the assessor shall personally examine the grove or line of trees and make report to the extent and conditions thereof according to the prescribed form, the same to be returned to the county auditor with the other returns and assessment book.

"SECTION 5. REPEAL.) All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

"SECTION 6. 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.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred

House Bill No. 298. A Bill for an Act to Amend and Re-enact Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Mothers' Pensions; Conditions of Allowance; Duties of the Boards of County Commissioners and Board of Administration; Providing for the Cancellation of Earlier Pensions; Providing a Penalty for Violation; Repealing Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks

of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Title after the figures "1913" insert the following: "as amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and further amended by the Initiated Measure passed June 29, 1932, by the people of this State of North Dakota."

In Section 1, line 2, after the figures "1913" insert as follows: "As amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and further amended by the Initiated Measure passed June 29, 1932, by the people of the State of North Dakota".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing



the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

Have had the same under consideration and recommend that the same be amended as follows:

On Original bill, page 1, sub-section b, line 3, which is page 2, line 14 on printed bill, strike out the figures "25" and insert in lieu thereof the figures "10".

Also on original bill page 2, subsection e, line 2, which is on page 3, line 50 on printed bill, after the word "Twenty-five" insert the following: "or more than forty-seven".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 308. A Bill for an Act to Make a Sales Tax Replacement Tax and Provide a Method of Replacement.

Have had the same under consideration and recommend that the same be amended as follows:

In the title strike out everything after the words "A BILL" and insert the following in lieu thereof: "For an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons and Declaring an Emergency."

Also in line 6, page 1 of the printed bill strike out the word "merchants" and insert in lieu thereof the word "person". Also in line 8, page 2, of the printed bill, strike out the word "merchants" and insert in lieu thereof the word "person". Also in line 10, page 2 of the printed bill, after the word "therefore" insert the following: "The Coupon Books shall be issued in the name of the purchaser who shall sign his name thereto".

Also in line 8, page 3, after the word "assignable" insert the following: "And such coupon must be detached from the coupon book in the presence of the person accepting the coupons".

Also after Section 4, insert the following: "Section 5. PENALTY.) Any person, firm or corporation who shall transfer or assign said sales tax coupons, or who shall accept such sales tax coupons by virtue of such transfer or assignment, or who shall violate any of the other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than twenty-five (\$25.00) dollars, or imprisonment in the county jail for a period not to exceed thirty days, or both such fine and imprisonment as the court may direct.

Re-number Section 5 of the Printed Bill to read Section 6.

Also add a new Section to be known as Section 7, as follows: "Section 7. EMERGENCY.) An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Election and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JAMES CADDELL,  
Chairman.

Mrs. Olson of McLean moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Counties made the following report:

Mr. Speaker: Your Committee on Counties to whom was referred:

House Bill No. 340. A Bill for an Act Making It the Duty of Boards of County Commissioners in Certain Instances to Furnish Office Space and Quarters Without Charge for City Officials, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. W. FRAZIER,  
Chairman.

Mr. Beasley moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 342. A Bill for an Act to Amend and Re-enact Section 9, Chapter 179, Laws of 1927 as Amended and Re-enacted by Section 1, Chapter 176, Laws of 1935, Section 13, Chapter 179, Laws of 1927, Section 29 of Chapter 179, Laws of 1927, and Subsection B, Section 14, Chapter 179, Laws of 1927 as Amended and Re-enacted by Section 10, Chapter 160, Laws of 1933; Relating to the Registration of Motor Vehicles.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Byrne moved that the report be adopted.

Mr. Kapaun offered as a substitute motion that House Bill No. 342 be placed on the calendar.

Mr. Godwin moved the previous question.

Which motion prevailed.

The question being on Mr. Kapaun's substitute motion, the motion was lost.

The question now being on the original motion of Mr. Byrne, the motion prevailed and House Bill No. 342 was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 351. A Bill for an Act to Amend and Re-enact Section 3080a4 and 3080a5 of the 1925 Supplement to the 1913 Compiled Laws Relating to Labeling and Specifications of Gasoline and Kerosene, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 351 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

On original bill, on page 2, line 17, which is page 3, line 41 on printed bill, preceding the word "Provided," insert the following: "Application for refunds or re-payments shall not be made oftener than at the beginning of the quarter of each calendar year."

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Holthusen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 361. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as follows: "An Distribution of Beer, Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons From the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administra-

tive Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof", and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Traynor moved that the vote by which House Bill No. 361 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 362. A Bill for an Act Providing That All Field Work Connected With the Lands Owned, Supervised, Operated, and Controlled by the Board of University and School Lands, and the State Land Commissioner, Be Performed by the Employees at the Bank of North Dakota; Providing for Payment of Salaries and Expenses in Connection With Said Work; Transferring Funds; Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Traynor moved that the vote by which House Bill No. 362 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

House Bill No. 364. A Bill for an Act to Amend and Re-enact Section 5, Chapter 106, Session Laws of 1927 as Amended and Re-enacted by Section 2, Chapter 105, Session Laws of 1931; Relating to the Sale of Cigarettes, and

Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "A BILL", strike out everything and insert the following:

"An Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. No dealer shall sell cigarettes, or cigarette papers, or snuff in the State at wholesale, or at retail, unless a cigarette permit shall have been issued to him as hereinafter prescribed on or before July first of each year by the North Dakota Regulatory Department. Such permit shall be in force and effect for one year following July first, after its issue, unless sooner revoked, and shall be granted only to the dealer owning, or operating the premises from which said sale is to be made, except in the case of non-resident dealers, and shall not be transferable. Such permit shall have a number, and show the residence and place of business of the holder, and must be posted in a conspicuous place in the holder's place of business in which the sale of cigarettes, cigarette papers, or snuff is made. The North Dakota Regulatory Department shall have power to revoke the permit of any dealer who has violated any of the provisions of this Act, and such revocation shall be mandatory where any dealer wilfully violates this Act, and no such permit shall again be issued for a period of two years thereafter.

"Section 2. No wholesaler, or retail dealer, as herein defined, shall sell cigarettes, or cigarette papers, or snuff in this State without first obtaining a permit therefor, which shall be designated as 'Dealers' sale and Stamp Permit'; provided that a retail dealer may sell cigarettes, cigarette papers, or snuff upon which stamps shall have been previously affixed thereto, and cancelled as hereinafter provided, upon obtaining a permit therefor, designated a 'Dealers' Sale Permit'; and provided further that any wholesale dealer may sell cigarettes, cigarette papers, tubes, or snuff, to which stamps have not been affixed, to any person, firm or corporation, in this State holding a 'Dealer's Sale and Stamp Permit'.

"Section 3. For the purpose of this Act, a wholesale dealer shall include any person, firm or corporation, who, or which sells within this State to retail dealers, or for purposes of resale, or who, or which, purchases cigarettes, cigarette papers, or snuff directly from any manufacturer for purposes of resale; and a retail dealer shall include every person, firm or corporation other than a wholesale dealer, who, or which, receives from any source whatsoever cigarettes, cigarette papers, or snuff for purposes of sale, barter, or gift to consumers in this State, or for any other purpose than that of re-sale, whenever the package of cigarettes, cigarette papers, or snuff, so received, do not have affixed to them the stamps (or other insignia) evidencing the payment of the tax imposed by this Act.

"Section 4. No 'Dealer's Sale and Stamp Permit' shall be issued until the applicant shall have paid to the North Dakota Regulatory Department a mulct tax of Five (\$5.00) Dollars, as a license fee; and no 'Dealer's Sale Permit' shall be issued until the applicant shall have paid to the North Dakota Regulatory Department a mulct tax of One (\$1.00) Dollar as a license fee. The North Dakota Regulatory Department shall receipt for such payments and shall forthwith pay all such remittances to the State Treasurer, who shall cover them into the general fund of the State.

"Section 5. No Dealer's Sale and Stamp Permit shall be issued until the applicant therefor shall have filed a bond, to be approved by the Attorney General, which bond shall be payable to the State of North Dakota, and shall be in amount not less than Five (\$500.00) Hundred Dollars, nor more than One Thousand (\$1,000.00) Dollars, and conditioned upon the faithful performance of all of the provisions of this Act, including the payment of all taxes, fines, penalties and costs herein provided for; provided, that no bond shall be required for the issuance of a 'Dealer's Sale Permit'. Such bond shall be signed by the obligor as principal and by a surety company, authorized to do business in this State, or by two sureties who shall justify in double the amount of the bond, and neither of whom shall be surety on another like bond.

"Section 6. From and after the taking effect of this Act, there is hereby levied and assessed, and there shall be collected and paid to the State Treasurer upon all cigarettes, cigarette papers, or wrappers and tubes, and snuff sold in this State the following taxes, to be paid prior to the time of sale and delivery thereof:

Class A. On cigarettes weighing not more than three pounds per thousand, one and one-half mills on each such cigarette.

Class B. On cigarettes weighing more than three pounds per thousand, two mills on each such cigarette.

Class C. On cigarette papers or wrappers or any papers made or prepared for the purpose of making cigarettes made up in packages, books or sets; on each such package, book or set containing not more than fifty papers, one-half cent; containing more than fifty papers but not more than one hundred

papers, one cent; containing more than one hundred papers, one cent for each fifty papers or major fractional part thereof.

"Class D. On tubes, one cent for each fifty tubes or major fractional part thereof.

Class E. On snuff, a box of one and one-fourth oz. two cent tax; on boxes containing more than one and one-fourth ounces, add two cents for each additional one and one-fourth ounces, or major fractional part thereof.

"All cigarettes sold in this State under the provisions of this Act shall be put up in packages containing 5, 8, 10, 12, 15, 16, 20, 24, 40, 50, 80 or 100 cigarettes each. All snuff sold in this State under the provisions of this Act shall be put up in packages containing not more than twelve ounces thereof each. Immediately upon receipt by the licensee (of a Dealer's Sale and Stamp Permit), each package of cigarettes or snuff and each package, book or set of papers or tubes shall have securely affixed thereto a suitable stamp denoting the tax thereon, and said stamp shall be properly cancelled prior to sale or removal for consumption, under such regulations as the State Treasurer shall prescribe. Provided that cigarettes or snuff sold in cartons, rolls or other containers having more than one package or box therein, shall have affixed thereto in the manner provided herein, stamps in the amount by this Act required to be placed upon the several packages, boxes or receptacles, therein contained. Each package of snuff or cigarettes, or book or set of papers or of tubes displayed, exhibited, stored or possessed in original cartons or containers or otherwise, within or upon the premises from which sale thereof may be made to the consumers shall be conclusively presumed to be intended for sale to consumers and to be displayed, exhibited, stored or possessed for such purpose; and each such package of snuff or cigarettes and each such package, book or set of papers or of tubes, at the time the same is displayed, exhibited, stored or possessed upon such premises, shall have securely affixed thereto a suitable stamp, or stamps denoting the tax thereon, which stamps shall be cancelled at the time and manner hereinbefore required; and the possession of any such package of snuff, cigarettes, package, book or set of cigarette papers or of tubes, within or upon any premises (possession), except cigarettes in unbroken containers of at least 2,000 cigarettes, shall be prima facie evidence of a sale made in violation of this Act.

"For any violation of any of the provisions of this Act, the offender shall upon conviction thereof, be fined not less than One Hundred (\$100.00) Dollars nor more than Three Hundred (\$300.00) Dollars and costs of prosecution, and shall be committed to the county jail until such fine and costs are paid, but not for a period exceeding six months, and all cigarettes, cigarette papers or wrappers and papers made or prepared for the purpose of making cigarettes, and snuff in his possession or in his place of business shall be confiscated and forfeited to the State.

"It shall be unlawful for any person not authorized hereby, with intent to defraud the State, to make, alter, forge



or counterfeit any license, stamp or insignia provided for in this Act or to have in his possession any forged, counterfitted, spurious or altered, and any person found guilty of any violation of this provision shall be fined not more than One Thousand (\$1,000.00) Dollars and shall be imprisoned in the State Penitentiary for a period of not more than three years.

“Section 7. The State Auditor shall prepare and have suitable stamps for use on each kind of package prescribed in Section 6 of this Act. Upon requisition from the State Treasurer, the State Auditor shall deliver to his order the stamps designated in such requisition, and shall charge the State Treasurer with the stamps thus delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The State Treasurer shall sell the stamps herein provided for only to dealers holding permits issued as provided in this Act, and the monies received from the sale of said stamps shall be turned into the general fund of the State; provided that wholesale dealers in cigarettes, cigarette papers, or snuff, located outside of this State, may apply for and receive a ‘Dealer’s Sale and Stamp Permit’ as hereinbefore provided, and may purchase stamps from the State Treasurer and affix such stamps on cigarettes, cigarette papers, and snuff to be sold in this State, and cancel the same in the manner prescribed by the regulations of the State Treasurer, in which case the dealer within this State receiving such stamped cigarettes, cigarette papers, or snuff, will not be required to purchase and affix stamps thereon.

“Section 8. All wholesale or retail dealers, who shall otherwise dispose of cigarettes, cigarette papers, or snuff, shall keep and preserve for one year all invoices, of cigarettes, cigarette papers, or snuff, purchased by them, together with all receipts issued by the State Treasurer for stamps purchased by said persons, firms, corporations or associations, and shall permit the North Dakota Regulatory Department, its assistants, authorized agents or representatives to inspect and examine all taxable merchandise, invoices, receipts, books, papers and memoranda as may be deemed necessary by the North Dakota Regulatory Department, its assistants, authorized agents or representatives in ascertaining whether the stamps provided for herein have been purchased and used, or to determine the amount of such tax as may be yet due. All persons, firms or corporations selling or otherwise disposing of cigarettes, cigarette papers, or snuff as enumerated herein at wholesale shall keep a record of all sales made within this State, showing the name and address of the purchaser, and the date of sale.

“On the first day of April and October of each year all permittees hereunder shall, on such form as the North Dakota Regulatory Department shall prescribe, report to such Department all purchases and sales of cigarettes, cigarette papers, tubes, or snuff made, from any persons either within or without this State during the preceding six months, showing the name and address of the seller, and/or buyer, the date of such sale or purchase and the quantity and make of

all cigarettes, cigarette papers, tubes, and snuff. Any person, firm or corporation violating any provisions of this Section shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Hundred (\$100.00) Dollars or more than One Thousand (\$1,000.00) Dollars or by imprisonment in the county jail not more than sixty days, or both such fine and imprisonment. The North Dakota Regulatory Department may revoke any permit when the permittee does not make the report herein provided for.

"No consumer who shall purchase any package of cigarettes, cigarette papers, tubes, or snuff, which package does not bear a stamp placed thereon pursuant to the provisions of this Act, or every consumer who purchases any package of cigarettes, cigarette papers, tubes or snuff, which package does not bear the stamp placed thereon pursuant to the provisions of this Act; and every person who shall use or consume within this State any cigarettes, cigarette papers, tubes or snuff, unless the same shall be taken from a package or container as defined in this Act, having attached thereto the stamp as hereinbefore provided for and required shall be guilty of a misdemeanor and shall be punished by a fine or imprisonment as in the preceding section set forth.

"Any person, firm or corporation violating any of the provisions of this Act, or maintaining a place where such cigarettes, snuff, or cigarette papers are sold or kept with intent to sell in violation of the provisions of this Act, shall be deemed guilty of keeping and maintaining a nuisance, and the building or place so used for the sale or keeping for sale cigarettes, snuff, or cigarette papers, or wrappers, in violation of the provisions of this Act, shall be deemed to be a nuisance, and such person, firm or corporation shall be enjoined, and such building or place abated as a nuisance.

"Section 9. Any wholesale dealer located within or without this State, shall be entitled to retain out of the monies to be paid by him for such stamps, a commission of seven and one-half per centum on the principal value thereof; and the State Treasurer is hereby authorized to allow such commission in the settlement of the account of such wholesale dealer upon the payment to him of any monies which may be, or become due to the State, by reason of the sale, delivery or consignment to such wholesale dealer of such stamps.

"Section 10. In the enforcement of this Act, the North Dakota Regulatory Department may call to its assistance any State's Attorney, or any peace official and it is hereby authorized to appoint such additional assistants and representatives as may be required to carry out the provisions of this Act.

"Section 11. REPEAL.) Chapter 106 of the Session Laws of North Dakota for 1927, Chapter 105 of the Session Laws of North Dakota for 1931, Chapter 269 of the Session Laws of North Dakota for 1935, and all other Acts, or parts of Acts in conflict herewith are hereby repealed.

"Section 12. EMERGENCY.) An emergency is hereby declared to exist and this Act shall take effect and be in force from and after May first, 1937."

And when so amended recommend the same do pass.

CARL ANFINSON,  
Chairman.

Mr. O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

House Bill No. 371. A Bill for an Act to Amend and Re-enact Subdivision 6 of Section 4 of Chapter 97 of the Session Laws of 1933, Providing for the Determination of Legal Residence of Persons Lawfully Entitled to Poor Relief.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 371 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 374. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of the State of North Dakota for 1929, Relating to the Appointment, Powers, and Duties of the State Superintendent of Criminal Investigation and Identification and Providing for the Payment of Salary and Expenses of that Office, and Providing an Appropriation Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed, because the bill was introduced contrary to Section 60 of the Constitution.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted.

Mr. Godwin moved that the rules be suspended and that the House act on the report.

Which motion prevailed.

The question being on Mr. Freitag's motion, the motion prevailed and the report was adopted.

Mr. Blair moved that the vote by which House Bill No. 374 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Magill moved that a bill relating to teachers' tenure be accepted for first reading.

Which motion was lost.

Mr. Wolf moved that House Bill No. 376 be printed.

Which motion prevailed.

Mr. Godwin moved that the majority and minority committee reports on House Bill No. 376 be printed in the Journal.

Which motion prevailed.

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Such Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On original bill, page 1, Section 25, line 5, after the word "board," insert the following: "In Co-operation with the State Welfare Board."

In line 8, in the same section, after the word "work," insert the following: "and employ an executive secretary who shall be approved by the State Welfare Board".

And when so amended recommend the same do pass.

L. C. ODEGARD,  
ED McINTEE,  
F. J. HAINES,  
OSCAR W. HAGEN,  
ROBT. GREISER,  
H. R. FREITAG,  
VAL. P. WOLF, Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Such Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. SAUMUR,  
JOS. D. BYRNE,  
CHAS. H. BLACK,  
J. D. HOLTHUSEN,  
L. L. TWICHELL,  
EDWIN TRAYNOR.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that House Bill No. 378 be printed, which motion prevailed.

Mr. Wolf moved that House Bill No. 331 be transferred from the State Affairs Committee to the Judiciary Committee, which motion prevailed.

Mr. Godwin moved that the House recess until 8:00 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 8:00 P. M., pursuant to recess, Speaker Dahl presiding.

#### GENERAL ORDERS

Mr. Freitag moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Freitag to the chair and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration.

House Bill No. 168. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in

Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repeal All Acts in Conflict Herewith.

And recommend that action on the same be deferred.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

And recommend the adoption of the standing committee's amendment as follows:

On original bill, page 1, Section 4, line 2, which is on page 2 of the printed bill, beginning with the word "excepting," strike out the balance of the section.

And when so amended recommend the same do pass.

Also,

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

And recommend the adoption of the standing committee's amendments as follows:

In line 3 of the title, following the word "Repealing", insert the word "all".

Further amendment at the end of the title, strike out the period, insert a comma and add the following: "And Declaring an Emergency".

In Section 1, strike out all of line 4 of the original bill and the balance of the Section and insert in lieu thereof the following:

"SECTION 4562. STOP AT COUNTY SEATS.) Every person, company or corporation operating a railroad within or through this state, shall cause all its regular passenger trains to stop upon their arrival at its station now established at each county seat of the County through or by which such trains run, or at such other of its stations, heretofore established, or hereafter established, within one mile of the corporate limits of such county seat, a sufficient length of time to receive and let off passengers with safety; provided, the same shall not apply to any passenger train which does not carry passengers whose trip both begins and terminates within the boundaries of the State of North Dakota".

Add: "Section 3. EMERGENCY.) WHEREAS, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval".

And when so amended recommend the same do pass.

Also,

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

In the original bill, Section 1, line 3, strike out the words and figures "Ten Thousand Dollars (\$10,000)" and insert in lieu thereof the words and figures "Five Thousand Dollars (\$5,000.)"

And the further amendments:

Correct the committee amendment to read Section 2, page 2, lines 3 and 4.

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION "J." A Concurrent Resolution Providing for the Amendment of Section 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Time for the Introduction of Bills in the Legislative Assembly.

And recommend that further consideration of the same be indefinitely postponed.

H. R. FREITAG,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed, and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Make, Brand or Name.

Was read the second time.

Mr. Freitag moved the previous question, 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, 82; nays, 16; absent and not voting 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Odegard
Akland	Holm	Olson, Adams
Anderson	Holmquist	Olson, Bowman
Anfinson	Holthusen	Olson, McLean
Beaton	Hultstrand	Peterson, Bot'neau

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beggs	Huseby	Peterson, Renville
Benno	Jensen	Peterson, Richland
Bieloh	Jury	Pewe
Billigmeier	Just	Rait
Bjornson	Kapaun	Sand
Black	Knutson, LaMoure	Schauss
Blair	Krank	Schimke
Brusseau	Kraus	Seibel
Byrne	LaBerge	Semerad
Caddell	Langford	Shure, Cass
Day	Leum	Sticka
Fitch	Levin	Stray
Frazier	Livingston	Thoreson
Freitag	McIntee	Treffry
Frey	Morland	Tuff
Frosaker	Morris	Tweten
Gessner	Myers	Urschel
Gilberg	Niewoehner	Wendland
Godwin	Nelson, Sargent	White
Goodlaxon	Norheim	Williams
Graham	Obach	Wolf
Hagen	O'Brien	Mr. Speaker
Haines		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Ritter	Solberg
Dalzell	Sandness	Symington
Greiser	Saumur	Traynor
McInnes	Savre	Trydahl
Magill	Shurr, Bottineau	Twichell
Oglesby		

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Ireland	Olson, Sargent
Brown	Johnson	Page
Burgum	Jones	Severson
Dittmer	Knudson, Steele	Thompson
Dullea	Nelson, Cass	Wick

So the bill passed and the title was agreed to.

Mr. Twichell moved to amend the title of the bill, which motion was lost.

Mr. Freitag moved that the vote by which House Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### SEVENTH ORDER OF BUSINESS

Mr. Godwin presented the following Resolution, which was read:



"WHEREAS: The Farmers of North Dakota, individually and collectively, have taken an active part in demanding that the Congress of the United States guarantee to Agriculture 'cost of production plus a reasonable profit', and,

"WHEREAS: It is our honest conviction that no industry, business or enterprise can long exist unless assured "cost of production plus a reasonable profit", and

"WHEREAS: We have, by the passage of House Bill No. 209, assured the business interests of our state 'cost of production plus a reasonable profit', and have thereby furnished concrete evidence of our sincerity and abiding faith in the proposal:

"Therefore Be It Resolved by the House of Representatives of the State of North Dakota:

"That we hereby renew our oft repeated appeal to the Congress of the United States to enact legislation which will guarantee to the farmers of America a price for their products which will assure 'cost of production plus a reasonable profit', to the end that agriculture may be placed on parity basis with other industries.

"BE IT FURTHER RESOLVED: That a copy of this resolution be mailed to all members in Congress from North Dakota and we ask that they submit the same to both houses of Congress for attention and action."

Mr. Godwin moved that the Resolution be adopted, which motion prevailed and the Resolution was adopted.

Mr. Wolf moved that further consideration of House Bill No. 215 be indefinitely postponed, which motion prevailed.

Mr. Ritter moved that the vote by which House Bill No. 215 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Holm moved that further consideration of House Bill No. 222 be indefinitely postponed, which motion prevailed.

Mr. Knutson of LaMoure moved that the vote by which House Bill No. 222 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2766 of the Compiled Laws of North Dakota in 1913; Providing for Examination of Stallions by Qualified Veterinarian Under the Employment of the Stallion Registration Board Repealing 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, the roll was called and there were ayes, 69; nays, 23; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holm	Olson, McLean
Anfinson	Huseby	Pewe
Beasley	Jury	Rait
Beaton	Just	Sand
Beggs	Kapaun	Sandness
Benno	Knutson, LaMoure	Savre
Bieloh	Krank	Schauss
Billigmeier	Kraus	Seibel
Black	LaBerge	Semerad
Blair	Langford	Shure, Cass
Brusseau	Leum	Shurr, Bottineau
Byrne	Levin	Sticka
Day	Livingston	Stray
Fitch	McInnes	Thoreson
Frazier	Magill	Traynor
Freitag	Morris	Treffry
Frey	Myers	Tuff
Gessner	Niewoehner	Tweten
Goodlaxon	Norheim	Twichell
Graham	Obach	Urschel
Hagen	O'Brien	White
Haines	Oglesby	Wolf
Hofstrand	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Jensen	Peterson, Renville
Bjornson	McIntee	Peterson, Richland
Caddell	Morland	Schimke
Dalzell	Nelson, Sargent	Solberg
Gilberg	Odegard	Symington
Greiser	Olson, Bowman	Williams
Holmquist	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Hultstrand	Ritter
Brown	Ireland	Saumur
Burgum	Johnson	Severson
Dittmer	Jones	Thompson
Dullea	Knudson, Steele	Trydahl
Frosaker	Nelson, Cass	Wendland
Godwin	Page	Wick

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Hofstrand moved that the vote by which House Bill No. 226 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Certain Chapters and Sections of Our Game and Fish Laws.

Was read the second time.

Mr. Shure of Cass asked unanimous consent of the House to amend House Bill No. 270 by striking out the word "gross" in line 57 of page 9, which consent was granted.

Mr. Frazier moved that further consideration of House Bill No. 270 be indefinitely postponed, which motion was lost.

Mr. Twichell moved that action on House Bill No. 270 be deferred, which motion prevailed.

House Bill No. 275. 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, the roll was called and there were ayes, 67; nays, 29; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hofstrand	Ritter
Anfinson	Holm	Sandness
Beaton	Holthusen	Savre
Beggs	Huseby	Schauss
Benno	Jensen	Schimke
Bieloh	Jury	Seibel
Billigmeier	Knutson, LaMoure	Semerad
Brusseau	Kraus	Shure, Cass
Byrne	LaBerge	Shurr, Bottineau
Caddell	Langford	Solberg
Dalzell	Leum	Sticka
Day	Livingston	Stray
Fitch	McInnes	Symington
Frazier	Morris	Thoreson
Frey	Myers	Tuff
Frosaker	Niewoehner	Tweten
Gessner	Nelson, Sargent	Twichell
Gilberg	Odegard	Urschel
Godwin	Olson, Bowman	Wendland
Goodlaxon	Olson, Sargent	Williams

Messrs.	Messrs.	Messrs.
Graham	Peterson, Richland	Wolf
Hagen	Rait	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Kapaun	Olson, Adams
Akland	Krank	Olson, McLean
Beasley	Levin	Peterson, Bot'neau
Black	McIntee	Peterson, Renville
Blair	Magill	Pewe
Freitag	Morland	Saumur
Greiser	Norheim	Treffry
Holmquist	Obach	Trydahl
Hultstrand	O'Brien	White
Just	Oglesby	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Ireland	Sand
Bjornson	Johnson	Severson
Brown	Jones	Thompson
Burgum	Knudson, Steele	Traynor
Dittmer	Nelson, Cass	Wick
Dullea	Page	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Mr. Holm moved that the vote by which House Bill No. 275 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

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, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Akland	Huseby	Rait
Beasley	Jensen	Ritter
Beaton	Jury	Sand
Beggs	Just	Sandness

Messrs.	Messrs.	Messrs.
Benno	Kapaun	Saumur
Bieloh	Knutson, LaMoure	Savre
Billigmeier	Krank .	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brusseau	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Fitch	McIntee	Stray
Frazier	Magill	Symington
Freitag	Morland	Thoreson
Frey	Morris	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Ireland	Page
Brown	Johnson	Peterson, Renville
Burgum	Jones	Severson
Byrne	Knudson, Steele	Thompson
Dittmer	Myers	Wick
Dullea	Nelson, Cass	

So the bill passed and the title was agreed to.

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, 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, 95; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Holthusen	Peterson, Renville

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Jensen	Rait
Beaton	Jury	Ritter
Benno	Kapaun	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schauss
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Magill	Symington
Frazier	Morland	Thoreson
Freitag	Morris	Traynor
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker
Holm	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Ireland	Page
Biberdorf	Johnson	Sand
Brown	Jones	Schimke
Dittmer	Just	Severson
Dullea	Knudson, Steele	Thompson
Fitch	Nelson, Cass	Wick

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Holmquist moved that the vote by which House Bill No. 322 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

FIFTH ORDER OF BUSINESS

REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice-Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

The Speaker called Mr. Fitch to the chair.

The Speaker resumed the chair.

Mr. Trydahl asked the unanimous consent of the House to amend House Bill No. 116 as follows: In Section 5 of the original bill, correct the spelling of the word "effected" to read "effective"; In section 12 of the original bill, change the spelling of the word "on" to read "one"; in Section 20 separate the words "absolutor" to read as two words; In Section 26 correct the spelling of the word "Insurance"; in Section 10 of the original bill change the word "shall" to read "such"; which consent was granted.

Mr. Godwin moved the previous question, which motion was lost.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 116 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Mr. Godwin moved the previous question, 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, 59; nays, 38; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Ritter
Akland	Holmquist	Sand
Anderson	Hultstrand	Savre
Anfinson	Huseby	Schauss
Beaton	Jensen	Schimke
Beggs	Knutson, LaMoure	Seibel
Benno	Krank	Semerad
Bieloh	Levin	Shurr, Bottineau
Billigmeier	Livingston	Solberg
Bjornson	McIntee	Stray
Brusseau	Morland	Thoreson
Byrne	Myers	Treffry
Caddell	Obach	Tuff
Frazier	Odegard	Tweten
Freitag	Olson, Adams	Urschel
Frosaker	Olson, Bowman	White
Godwin	Olson, McLean	Williams
Greiser	Peterson, Bot'neau	Wolf
Hagen	Pewe	Mr. Speaker
Haines	Rait	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jury	Oglesby
Black	Kapaun	Olson, Sargent
Blair	Kraus	Peterson, Renville
Burgum	LaBerge	Peterson, Richland
Dalzell	Langford	Sandness
Day	Leum	Saumur
Fitch	McInnes	Shure, Cass
Frey	Magill	Sticka
Gessner	Morris	Symington
Goodlaxon	Niewoehner	Traynor
Graham	Nelson, Sargent	Trydahl
Holm	Norheim	Twichell
Holthusen	O'Brien	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Johnson	Page
Brown	Jones	Severson
Dittmer	Just	Thompson
Dullea	Knudson, Steele	Wendland
Gilberg	Nelson, Cass	Wick
Ireland		



So the bill passed, the title was agreed to and the emergency clause was declared lost.

Mr. Freitag moved that the vote by which House Bill No. 116 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sticka: I talked to a number of farmers before I came down here, and since I have been here, and they expressed their opinion in regard to hail insurance. "If the hail insurance bill comes up and asks for compulsory hail insurance, don't support that bill," they told me. Therefore I vote "no".

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds 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, 96; nays, 0; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Akland	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Jury	Rait
Beasley	Just	Ritter
Beaton	Kapaun	Sand
Beggs	Krank	Sandness
Benno	Kraus	Saumur
Bieloh	Knutson, LaMoure	Savre
Billigmeier	LaBerge	Schauss
Bjornson	Langford	Schimke
Black	Leum	Seibel
Blair	Levin	Semerad
Brusseau	Livingston	Shure, Cass
Burgum	Magill	Shurr, Bottineau
Byrne	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thoreson
Freitag	Nelson, Sargent	Traynor
Frey	Niewoehner	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	Wendland
Hagen	Olson, Bowman	White

Messrs.	Messrs.	Messrs.
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Holmquist	Nelson, Cass
Brown	Ireland	Page
Caddell	Jensen	Severson
Dittmer	Johnson	Thompson
Dullea	Jones	Wick
Gilberg	Knudson, Steele	

So the bill passed and the title was agreed to.

SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that House Bill No. 168 be re-referred to the Committee on Education, which motion prevailed.

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City Council, Providing Form of Ballot, Notice of Election, Repealing All 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, the roll was called and there were ayes, 89; nays, 5; absent and not voting 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Akland	Holthusen	Peterson, Richland
Anderson	Hultstrand	Pewe
Anfinson	Huseby	Rait
Beasley	Jury	Sandness
Beaton	Just	Saumur
Beggs	Kapaun	Savre
Benno	Knutson, LaMoure	Schauss
Bieloh	Kraus	Schimke
Billigmeier	LaBerge	Seibel
Bjornson	Langford	Semerad
Black	Leum	Shure, Cass
Blair	Levin	Shurr, Bottineau
Brusseau	Livingston	Solberg
Burgum	McInnes	Sticka
Byrne	McIntee	Stray
Fitch	Magill	Thoreson
Frazier	Morland	Traynor

Messrs.	Messrs.	Messrs.
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker
Hoim	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dalzell	Peterson, Bot'neau	Symington
Morris	Ritter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Ireland	Nelson, Cass
Brown	Jensen	Page
Caddell	Johnson	Sand
Day	Jones	Severson
Dittmer	Knudson, Steele	Thompson
Dullea	Krank	Wick
Godwin		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Freitag 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.

Mr. Twichell moved that further action on House Bill No. 241 be indefinitely postponed, which motion prevailed.

Mr. Twichell moved that the vote by which House Bill No. 241 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. O'Brien moved that action on House Bill No. 279 be deferred one legislative day, which motion prevailed.

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

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, 53; nays, 37; absent and not voting 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Rait
Anderson	Holm	Sand
Anfinson	Holmquist	Sandness
Beggs	Huseby	Savre
Benno	Just	Schauss
Bjornson	Knutson, LaMoure	Schimke
Billigmeier	Krank	Shurr, Bottineau
Brusseau	Kraus	Solberg
Burgum	Langford	Sticka
Byrne	Levin	Stray
Day	Livingston	Thoreson
Fitch	McIntee	Treffry
Frazier	Morris	Tuff
Freitag	Niewoehner	Tweten
Frey	O'Brien	Urschel
Goodlaxon	Olson, McLean	Williams
Hagen	Peterson, Renville	Wolf
Haines	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jury	Olson, Sargent
Beasley	LaBerge	Peterson, Bot'neau
Bieloh	Leum	Peterson, Richland
Black	McInnes	Seibel
Blair	Magill	Semerad
Dalzell	Morland	Shure, Cass
Frosaker	Nelson, Sargent	Symington
Gilberg	Norheim	Traynor
Godwin	Odegard	Trydahl
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Holthusen	Olson, Bowman	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jensen	Page
Biberdorf	Johnson	Ritter
Brown	Jones	Saumur
Caddell	Kapaun	Severson
Dittmer	Knudson, Steele	Thompson
Dullea	Myers	Twichell
Gessner	Nelson, Cass	Wick
Ireland	Obach	

So the bill was lost.

Mr. Godwin: I change my vote from "aye" to "no" for the purpose of reconsideration.

Mr. Akland: I don't believe it's right to vote a teacher in for a life job even though she makes good the first three years. Therefore I vote "no".

Mr. Adams: I voted "aye" on this bill while my colleague Akland voted "no". I hope the teachers will not stay for life. They generally get married before they get too crabby.

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

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, 89; nays, 6; absent and not voting 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Rait
Akland	Jury	Ritter
Anderson	Just	Sand
Anfinson	Knutson, LaMoure	Sandness
Beasley	Krank	Saumur
Beaton	Kraus	Savre
Beggs	LaBerge	Schauss
Bieloh	Langford	Schimke
Billigmeier	Leum	Seibel
Bjornson	Livingston	Semerad
Brusseau	McInnes	Shure, Cass
Burgum	McIntee	Shurr, Bottineau
Byrne	Magill	Solberg
Dalzell	Morland	Sticka
Day	Morris	Stray
Fitch	Myers	Symington
Frazier	Niewoehner	Thoreson
Freitag	Nelson, Sargent	Traynor
Frey	Obach	Treffry
Gilberg	O'Brien	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Graham	Olson, Adams	Twichell
Greiser	Olson, Bowman	Urschel
Hagen	Olson, McLean	Wendland
Haines	Olson, Sargent	White
Hofstrand	Peterson, Bot'neau	Williams
Holm	Peterson, Renville	Wolf
Holmquist	Peterson, Richland	Mr. Speaker
Hultstrand	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Blair	Holthusen
Black	Frosaker	Norheim

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Ireland	Levin
Brown	Jensen	Nelson, Cass
Caddell	Johnson	Page
Dittmer	Jones	Severson
Dullea	Kapaun	Thompson
Gessner	Knudson, Steele	Wick

So the bill passed and the title was agreed to.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

J. R. Tangen, Alfred Morken, Pekin; James Flannigan, Bismarck; Agnes Shirley, Olga Jenson, Steele; J. E. Mathews, Moffit; Frank Talcott, Fargo; Mert Whalen, Minot; Anton Leimgang, St. Anthony; Kathryn Geiger, Helen Jacobson, Bismarck; E. A. Bohrer, Krem; Wm. A. Steinaper, Center; C. G. Emery, Howard Parkinson, Willow City; A. F. Glimm, Zahl; Hollis E. Green, Emmons, Koherm G. Ler, Fargo; Nora Allensworth, Menoken; Seak Nopfk, Minot; Jessie Carlson, Jo Ann Thomas, Bismarck; Mrs. Ruth Bissell, Grand Forks; Vera Malchen, Fargo; Mrs. Ella Bannon, Bismarck; James J. Flynn, Jamestown.

Mr. Godwin moved that the House recess until 11 A. M., tomorrow, which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

FORTY-NINTH DAY AFTER RECESS AND  
FIFTIETH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 23, 1937.

The House convened at 11:00 A. M. pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Traynor moved that the House resolve itself into a  
Committee of the Whole for the consideration of general  
orders; which motion prevailed.

Mr. Speaker called Mr. Traynor to the chair, and the  
House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

House Bill No. 271. A Bill for an Act Relating to the  
Licensing of Motor Vehicle Operators, and to the Liability  
of Persons for Negligence in the Operation Thereof on Public  
Highways; Fixing Fees to Be Paid; Providing for the  
Examination of Applicants for License, and for the Suspension  
and Revocation of Such License; Making Disposition  
of the Fees Collected, and Providing for Penalty for Violating  
the Act; Repealing Acts in Conflict Herewith, and Declaring  
an Emergency.

And recommend the adoption of the Standing Committee's  
amendments shown in re-written bill on Page 1262 in House  
Journal:

And the further amendment:

In Section 12, line 4 of the committee amendments, strike  
out the word "him" and insert in lieu thereof the word "it".

And when so amended recommend the same do pass.

EDWIN TRAYNOR,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Mr. Niewoehner moved that the House recess until 1:30 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 1:30 P. M., pursuant to recess, Speaker Dahl presiding.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Also,

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice-Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

HOUSE RESOLUTION "L".

WHEREAS, The Farmers of North Dakota, individually and collectively, have taken an active part in demanding that the Congress of the United States guarantee to Agriculture "cost of production plus a reasonable profit", and,

WHEREAS, It is our honest conviction that no industry, business or enterprise can long exist unless assured "cost of production plus a reasonable profit", and,

WHEREAS, We have, by the passage of House Bill No. 209, assured the business interests of our state "cost of production plus a reasonable profit", and have thereby furnished concrete evidence of our sincerity and abiding faith in the proposal:

And find the same correctly enrolled.

L. R. BURGUM,  
Vice-Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property

Necessary Therefor; Authorizing the Issuance and Sale of State Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Also,

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

Also

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 269. A Bill for an Act to Define Native

Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Have examined same and find it properly engrossed.

L. R. BURGUM,  
Vice Chairman.

Mr. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 195. A Bill for an Act to Provide a Plan for Assistance or Pensions for the Blind; to Secure the Benefits of the Act of Congress of the United States Known as the "Social Security Act" Enabling the States to Make More Adequate Provisions for Blind Persons; Establishing a State Agency to Administer the Plan; Creating a Fund for the Payment of the Assistance Herein Provided and the Expenses of Administering the Plan; Designating and Prescribing the Persons Entitled to Assistance or Pensions and Other Benefits Provided by this Act; Prescribing Penalties for Violation of the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act; and Levying a Tax for the Creation of the Fund.

Have had the same under consideration and recommend that the same be indefinitely postponed.

The committee moved the indefinite postponement of this bill because of the duplication of this bill with Senate Bill No. 98 and also recommend that the sponsors of this bill try to incorporate the same in Senate Bill No. 98.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 273. A Bill for an Act to Amend and Re-enact Section 8205 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining the Private Property Which May Be Taken by Eminent Domain.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. AMENDMENT.) That Sub-division U of Section fifty-one (51) of Chapter 96 of the Session Laws of North Dakota for 1931 be amended and re-enacted to read as follows:

"SECTION 51. ADMINISTRATION OF INSOLVENT BANKS.)

"Subdivision (U). LIQUIDATION BY DEPOSITORS.) When any bank shall be closed and taken charge of by the receiver as provided for herein, or while proceedings are pending for taking charge thereof hereunder, articles of agreement and a plan for liquidation by a liquidating committee may be submitted to the State Examiner. Such plan must, among other things, contain the names of six persons who may or may not be depositors, from among whom, if the application is granted by the Court as hereinafter provided, the Court may select three to act as such liquidating committee. There shall also be submitted with such plan and articles of agreement and the consent in writing of all of such proposed members of the liquidating committee to act on such committee if selected by the Court. It shall be the duty of the State Examiner to act in an advisory capacity to the persons interested in the plan. He shall pass upon the feasibility and practicability of the same, and either approve or disapprove thereof. If he disapproves the plan, it shall be his duty to formulate and present in lieu thereof an agreement and plan which meets with his approval.

"Such agreement and plan so approved by the State Examiner shall thereupon be by the applicants presented to the deposit creditors of such bank for execution by each depositor in person, or by his representative holding a power of attorney to act in the premises, sworn to before a Notary Public or other officer empowered to administer oaths, which power of attorney shall accompany such agreement and plan. When deposit creditors thereof, representing not less than fifty-one percent (51%) of the amount of deposits of such bank exclusive of public money secured by indemnity bonds

or otherwise, and also exclusive of deposits of less than twenty-five dollars each, have executed said articles of agreement and plan for liquidation, all other unsecured depositors shall be held subject to such agreement and all the terms thereof to the same extent and effect as if they had joined in its execution, and the same may be presented to the Court Commissioner or judge of the district court designated by the Supreme Court as hereinbefore provided, together with an application to have the liquidation of the said bank withdrawn from the receivership and vested in a liquidation committee. Such Court Commissioner or district judge, as the case may be, shall thereupon make an order fixing a time and place for the hearing of such application, which hearing shall be held in the town where such bank is located. Ten days' notice of such hearing, containing a statement of the purpose, time and place thereof, must be given by the applicants by registered mail to the receiver of such bank, to the State Examiner, and to each deposit creditor shown of record on the books of the bank at the time of closing, and for the purpose hereof such records shall be by the receiver of such bank made available to the applicants upon demand.

“Upon the hearing the Court shall advise itself fully in regard to the status of the existing receivership, the feasibility of the proposed plan, the competency of the proposed members of the liquidating committee and its several members to act in the proposed capacity, and it shall have the power to select three persons from the names submitted in such plan and articles of agreement to act as a liquidating committee, and to prescribe the terms and conditions upon which the liquidation of the affairs of such bank will be transferred from the receivership to such committee. It may also permit the applicants, with the consent of the State Examiner, to modify or amend the said proposed plan of liquidation. If no good reason is presented why the application as originally made or as amended should not be granted, the Court must make its order appointing three persons from among the names submitted with said plan, to act as joint receivers of said bank in the place and stead of the existing receiver, prescribe the amount of the bond, if any, which they should be required to give upon qualifying as receivers and the manner of their reporting and accounting to the Court, directing the existing receiver to account to them and turn over all of the assets of the receivership, first deducting the proper expense and charges for administration of the receivership up to such time, the amount thereof to be agreed upon between the existing and the new receivers, or in case of disagreement to be settled by the Court; but the failure of the parties to so agree shall not delay the transfer of the assets and effects to the new receivers, except such thereof as are claimed by the old receiver as compensation, as aforesaid, and the correctness of such claim shall be subsequently determined by the Court.

“Upon so accounting and surrendering the assets and effects to the said new receivers, the existing receiver shall take their receipt therefor, and he shall be thereupon discharged from all liability and responsibility in connection

with the further liquidation of such bank, and the said new receivers shall be deemed to have assumed the same liability, responsibility and accountability to the Court as other receivers. Any vacancy in the office of such receivers so appointed by the Court as hereinbefore provided, shall be filled by the remaining receivers with the approval of the Court, and in the event that all of said receivers shall vacate their office for any cause simultaneously, then the Court shall fill such vacancies."

And when so amended recommend the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 293. A Bill for an Act Providing for an Annual Fee for the Registration of Motor Trucks and/or Truck Tractors Propelled by Diesel or Fuel Oil or Any Combustible Fuel Other Than Gasoline.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
Chairman.

Mr. White moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridge made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 294. A Bill for an Act Defining Non-Gasoline Driven Motor Vehicles, and Providing for an Annual Fee for the Registration of Any Non-Gasoline Driven Motor Vehicles.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 295. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fitch moved that the vote by which House Bill No. 295 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OSCAR W. HAGEN,  
Chairman.

Mr. McIntee moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Drainage and Irrigation made the following report:

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred:

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Have had the same under consideration and recommend that the same do pass.

M. D. GRAHAM,  
Chairman.

Mr. Magill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 345. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent with Sound Economy and Prudent Management, Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act, Providing for the Rights, Powers and Duties of the Authority, Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 345 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 347. A Bill for an Act to Amend and Re-enact Section 4543 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, as Amended by Chapter 114, Laws of North Dakota, 1931, Exempting Co-operative Associations of Cooperative Corporations Organized for the Purpose of Electrification From the Limitations and Restrictions Therein Contained as to the Creation of Debt, Making Dividends, and Dividing, Withdrawing or Paying to the Stockholders any Part of the Capital Stock, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 347 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:



Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 348. A Bill for an Act to Amend and Re-enact Section 4609a2 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Including Electrification in Purposes for Which a Co-operative Association May Be Formed; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Kraus moved that the vote by which House Bill No. 348 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

House Bill No. 367. A Bill for an Act to Amend and Re-enact Section 189b7 and 189b11 and 189b15 of the 1925 Supplement to the Compiled Laws of North Dakota; Relating to State Hail Indemnity Tax, Crop Affidavit, Insurability and Liens; Amount of Indemnity; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

LEONAS MYERS,  
Chairman.

Mr. Morris moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Kraus moved that the vote by which House Bill No. 367 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

House Bill No. 368. A Bill for an Act to Appropriate the Sum of Ten Thousand Five Hundred Dollars to Reimburse and Pay to Patterson Hotel Company of Bismarck, North Dakota, for Rent During a Period of Seven Months for Premises Leased to the State of North Dakota, Consisting of the Second Floor of That Certain Building in the City of Bismarck Known as the Patterson Hotel, Upon an Agreement Made and Entered Into by the Board of Administration to Pay Rent at the Rate of Twenty-five Hundred Dollars per

Month for Such Premises in Case the Said Premises Were Vacated by the State of North Dakota Within a Period of Two Years From and After the First Day of January, 1931, the Said State of North Dakota Having Occupied Said Premises for a Period of Seven Months for Various Departments of the State Government.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Brusseau moved that the vote by which House Bill No. 368 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Temperance made the following report:

Mr. Speaker: Your Committee on Temperance to whom was referred:

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty Therefor.

Have had the same under consideration and recommend that the same do pass.

OSCAR W. HAGEN,  
Chairman.

Mr. Holmquist moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A majority of your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 375. A Bill for an Act to Impose Tonnage and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, and Payment of the Tax; Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

C. M. PETERSON, Renville,  
FRANKLIN PAGE,  
C. T. OLSON, Bowman,  
GEO. H. SAUMUR,  
ED. KRAUS,  
C. P. GILBERG,  
WM. H. WICK,  
N. P. JENSEN, Chairman.

Mr. Peterson moved that the report be adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: A minority of your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 375. A Bill for an Act to Impose Tonnage and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, and Payment of the Tax; Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows, without further recommendation.

In Section 1 of original bill, strike out lines 5, 6, 7, 8, and 9, and insert in lieu thereof "Over 25,000 to 50,000—2 cents; 50,000 to 100,000—5 cents; over 100,000—10 cents."

OLE AKLAND,  
W. H. SHURE,  
H. W. BROWN,  
C. P. RITTER,  
JOHN BILLIGMEIER.

Mr. Twichell moved that further consideration of House Bill No. 375 be indefinitely postponed.

Which motion prevailed.

Mr. Peterson of Renville moved that the vote by which House Bill No. 375 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Magill moved that the absent members be excused, which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Speaker administered the oath of office to Leone Hilland, Frances Heath, Mrs. Dorothy Young, Katherine Kellam and Hazel Wipper as members of the enrolling and engrossing force.

Mr. Frazier moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTIETH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 23, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. A. R. Henry of Mandan.

The roll was called and all members were present except Representatives Dittmer, Fitch, Jensen, Johnson, Knudson of Steele, Nelson of Cass, Schauss and Thompson.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 48th day after recess and 49th day and recommend that the same be corrected as follows:

Add House Bill 198 and House Concurrent Resolution 356 to the calendar.

On page 1297, line 54, strike out "which consent was granted" and insert "In Section 10 of the Original Bill change the word 'shall' to read 'such'; which consent was granted."

Page 1298 House Bill 116 Wendland voted "no" whereas he is recorded absent.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A petition signed by fifty-four residents of Walsh County urging the defeat of House Bill No. 216.

A petition signed by seventy residents from Dunn County urging the introduction of a bill for an appropriation to pay a bounty on magpies and coyotes.

A petition signed by five hundred and seventy customers and employers of chain stores against the chain store tax bill.

A resolution from the North Dakota Wool Pool requesting passage of a dog law to give compensation to livestock owners who suffer losses of livestock caused by dogs and coyotes.

A petition signed by eleven hundred customers of chain stores against chain store legislation.

#### REPORT OF STANDING COMMITTEE

A majority of your Committee on Judiciary made the following report:

Mr. Speaker: A majority of your Committee on Judiciary to whom was referred:

House Bill No. 331. A Bill for an Act to Amend and Re-enact Section 7644 of the Compiled Laws of 1913, as Amended by Chapter 331, Session Laws of 1923 and Repeal All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

W. H. SHURE,  
THOS A. WHITE,  
L. R. BURGUM,  
ROBERT RAIT,  
L. L. TWICHELL,  
E. SYMINGTON,  
O. R. LaBERGE,  
EDWARD SAVRE, Chairman.

Mr. Shure of Cass moved that the report be adopted.

A minority of the Committee on Judiciary made the following report:

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred:

House Bill No. 331. A Bill for an Act to Amend and Re-enact Section 7644 of the Compiled Laws of 1913, as Amended by Chapter 331, Session Laws of 1923 and Repeal All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

LEONAS MYERS,  
HARVEY BRUSSEAU,  
NELLIE C. OLSON,  
GUST TWETEN,  
JOHN BILLIGMEIER,  
BERNT ANDERSON.

Mr. Caddell moved that the report of the minority be substituted for that of the majority, which motion prevailed, and House Bill No. 331 was indefinitely postponed.

Mr. Frazier moved that the vote by which House Bill No. 331 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that House Rule No. 39 be suspended for one legislative day.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Godwin's motion, the roll was called and there were ayes, 58; nays, 50; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Ritter
Akland	Holmquist	Sand
Anderson	Hultstrand	Savre
Anfinson	Huseby	Schauss
Beaton	Jensen	Schimke
Beggs	Just	Seibel
Biberdorf	Knutson, LaMoure	Semerad
Bieloh	Krank	Shurr, Bottineau
Billigmeier	Levin	Sticka
Bjornson	Livingston	Thoreson
Brusseau	McIntee	Treffry
Burgum	Myers	Tuff
Caddell	Obach	Tweten
Fitch	Odegard	Urschel
Frazier	Olson, Adams	White
Freitag	Olson, McLean	Wick
Godwin	Peterson, Bot'neau	Williams
Greiser	Pewe	Wolf
Hagen	Rait	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Ireland	Olson, Bowman
Benno	Jones	Olson, Sargent
Black	Jury	Page
Blair	Kapaun	Peterson, Renville
Brown	Kraus	Peterson, Richland
Byrne	LaBerge	Sandness
Dalzell	Langford	Saumur
Day	Leum	Severson
Dullea	McInnes	Shure, Cass
Frey	Magill	Solberg
Frosaker	Morland	Stray
Gessner	Morris	Symington
Gilberg	Niewoehner	Traynor
Goodlaxon	Nelson, Sargent	Trydahl
Graham	Norheim	Twichell
Holm	O'Brien	Wendland
Holthusen	Oglesby	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Knudson, Steele	Thompson
Johnson	Nelson, Cass	

So the motion was declared lost.

#### EXPLANATIONS OF VOTES

Mr. Caddell: I vote "aye" because I don't believe it is right to disregard the work of these committees and tie these bills up in general orders.

Mr. Fitch: I vote "aye" because, in my opinion, it is a

matter of give and take, and I just want to be fair. The passage of a bill is the majority problem, and I think, as I said before, that it is a matter of give and take a little bit. Therefore I vote "aye".

Mr. Magill: I don't believe in a blanket suspension of rules. We can suspend the rules any time we want to. So I vote "no".

Mr. Niewoehner: I think that we can consider every bill on its own merits without a suspension of the rules. I vote "no".

Mr. Stray: I say "no", because they had plenty of time to bring these up without suspending the rules. They have been dillying and dallying in these committees until there was no end to it. I vote "no".

Mr. Godwin: I feel a large responsibility because of the situation at which we have arrived. I think the lesson will be worth something to the majority of this House. I think they should now have a demonstration of whether or not they come here as an organization or as a big bunch of individuals. I want to call their attention to what they are getting now, when they have gotten up here and fought for fairness, because the minority has gotten up and made pleas. Upon this majority rests this responsibility, and don't criticize the minority for it. We laid ourselves open for it, and we will take it on the chin and go on from here. But take a copy of this roll call. I vote "aye".

Mr. Frazier: I voted "aye" on this motion because I thought it would be only fair to those people who got their bills in the committee long ago, but the committee being over-run with bills were unable to get them out because of the lack of attendance at some of these committee meetings, and the committee chairmen should be criticized for allowing bills to die in their committee. Bills were in the committee and should have been out. People were interested in those bills, that might have saved the state of North Dakota thousands of dollars had they got through on time, and if we don't suspend this rule those bills are going to be smothered.

Mr. Twichell: I don't think that anybody has been given any unfair treatment. The gentleman moved to suspend this rule for the legislative day. I had no objection to suspending it for one bill, but I do think that the minority have the right, under the rule, to have this put up to them a bill at a time, not any blanket suspension. That is the reason I voted the way I did. If he had asked to suspend the rule on one bill at a time, and I saw you people thought that was what he was doing, it would have been different, but it was a suspension for all of the legislative day. It isn't the fault of the minority that bills didn't come out of committee. I think the men on my committee will tell you I helped as much as anybody, and as much as I could, to get those bills out speedily and in shape.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 168. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repeal All Acts in Conflict Herewith.

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 first and second lines down to the semicolon (;) and insert in lieu thereof the following: "For an Act to amend and re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota as amended by Chapter 260 of the Session Laws of 1935;".

In line 7 in the title of the bill after the word "Districts" and before the word "repeal", insert the following words "and to provide for penalty for making false report".

On page 1 of the original bill which is page 1 of the printed bill, after the enacting clause, insert a new Section 1 as follows: "Section 1. AMENDMENT.) Chapter 229 of the Session Laws of North Dakota for 1933, as amended by Chapter 260 of the Session Laws for 1935, is hereby amended and re-enacted to read as follows".

Renumber the remaining Sections thus: "Section 1 will be Section 2; Section 2 will be Section 3" etc.

In Section 2, subsection (a), line 13 of the original bill which is line 17, page 2, of the printed bill, after the word "to" and before the word "such", insert the word "by".

Page 2, line 28 of the original bill, subsection (b) which is pages 3 and 4 of the printed bill, strike out lines 33 to 43 inclusive.

On page 3, line 43 of Section 2 of the original bill which is page 4, subsection (c), subsection (4) of the printed bill, strike out the subsection down to and including the word "instruments" and the period in line 60 and insert in lieu thereof the following: "(4) That such district must furnish satisfactory proof that it has made an effort to sell certificates of indebtedness; further, it must furnish satisfactory proof that it either has no further power to issue warrants or that if such warrants were issued they would not be acceptable as normal commercial instruments".

Page 3, Section 2, subsection (d) of the original bill which is page 5 of the printed bill, lines 64 and 65 in the title of this subsection, strike out the words "Nine Month Term Only" and substitute in lieu thereof the words "Not More



Than Seven Months in Any One School Year". In the same subsection (d), line 66 of the printed bill, after the word "Section", strike out the remainder of the subsection and insert in lieu thereof after the word "Section in line 66, the following: "for not more than seven months in any one school year".

In subsection (e), page 3, line 59 of the original bill which is page 5, subsection (e), line 75 of the printed bill, strike out after the word "schools" the comma and insert in lieu thereof a period. In the same line capitalize the letter "I" in the word "In".

In subsection (h), Sec. 3, pages 3 and 4 of the original bill which is page 6, subdivision (h) line 94 of the printed bill, strike out after the word "shall" the remainder of subsection (h) and insert in lieu thereof in line 94 after the word "shall" the following: "be available for distribution on a teacher-unit basis as provided in Sec. 6 of this act."

In subsection (i) of Sec. 3, page 4 of the original bill which is page 6, subsection (i) line 102 of the printed bill, after the word "salaries" strike out the period and insert the following: "for the current year".

In Sec. 4, line 16 of the original bill which is page 7, line 18, of the printed bill, strike out the words "the nearest" and substitute in lieu thereof the word "a".

On page 4, Sec. 4, line 27 of the original bill which is Sec. 3, page 7, line 31 of the printed bill, after the word "certify" and before the word "to" insert the following: "and the clerk shall attest". In the same section, line 28 of the original bill which is line 33 of the printed bill, after the word "of" and before the words "of attendance" strike out the word "days" and insert in lieu thereof the word "weeks". In the same section, line 33 of the printed bill, after the word "and" and before the word "taken" strike out the word "subjects" and insert in lieu thereof the words "number of units of high school work".

In Sec. 5, line 4 of the original bill which is page 9, Sec. 5, lines 4 and 5 of the printed bill, strike out the words and figures "forty thousand dollars, (\$40,000.00)" and insert in lieu thereof the words and figures "sixty-five thousand dollars, (\$65,000)".

On page 5, Sec. 6, line 2 of the original bill which is page 9, Sec. 6, line 3 of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries". In the same section, line 5 of the original bill, which is line 7 of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries". Also, in the same section, line 9 of the original bill, which is line 12, page 10, of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries".

On page 6, Sec. 7, line 5 of the original bill, which is page 10, Sec. 7, line 6 of the printed bill, after the word "districts"

and before the word "of" insert the words "and County Agricultural and Training Schools". In the same section, line 6, of the original bill which is line 8, page 10, of the printed bill, after the word "districts" and before the word "during" insert the words "and County Agricultural and Training Schools".

Page 6, Sec. 8, line 14 of the original bill, which is page 11, Sec. 8, line 17 of the printed bill, add after the word "classes" the following words: "In defining teacher-unit as applied to consolidated schools, consideration shall be given to the teacher-pupil ratio and to the territory served by such schools."

On page 8, Sec. 9, line 29 of the original bill which is page 13, Sec. 9, line 34 of the printed bill, after the word "and" strike out the word "commerce" and insert in lieu thereof the words "distributive industries".

Page 8, Sec. 10, line 5 of the original bill, which is page 14, Sec. 10, line 6 of the printed bill, strike out after the words, "economics and" the word "commence" and insert in lieu thereof the words "distributive industries."

On page 10 of the original bill which is page 16 of the printed bill, renumber Sec. 14 to read as Sec. 15 and insert a new Sec. 14 as follows: "Sec. 14. PENALTY FOR FALSE REPORTS.) It shall be considered a misdemeanor, punishable by fine or imprisonment, or both, for any school official to falsify any report made in connection with the administration of this fund."

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Livingston moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

W. W. TREFFRY,  
Chairman.

Representative Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Seibel moved that House Bill No. 377 be printed, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 8. A Bill for an Act to Amend and Re-enact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913 as Amended by Section 2 of Chapter 170 of the Session Laws of North Dakota for 1931 and as Further Amended by Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to Hail Insurance, Providing for Collection of Hail Indemnity Insurance and Status of the Hail Tax.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the vote by which House Bill No. 8 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

House Bill No. 224. A Bill for an Act to Provide for the Management and Control of State Institutions of Higher Education; Creating a State Board of Higher Education for the Control of the State Institutions of Higher Education; to Prescribe Its Powers and Duties; to Provide for the Appointment of a Commissioner of Higher Education and to Prescribe His Powers and Duties; to Provide an Appropriation to Carry Out the Purposes of This Act and Repealing All Acts or Parts of Acts in Conflict or Inconsistent Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3, Section 7, line 6 in the blank after the word "exceed", insert the figures "\$1,500.00". (Of the original bill), which is page 5, Section 7, line 8 of the printed bill.

Page 5, Section 8, line 8 of the original bill which is page 8, Section 8, line 11 of the printed bill after the words "the sum of", insert the figures "\$3,000.00".

On page 6, Section 13, line 2 of the original bill which is page 11, line 2, Section 13 of the printed bill after the words "the sum of", insert the figures "\$20,000.00".

And when so amended recommend the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 268a5 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Powers of the Industrial Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Odegard moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 278 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 310. A Bill for an Act to Provide for the Licensing of Motor Picture Theatre Checkers, Setting the Fee Therefor, Providing for Reports and Disposing of the Proceeds.

Have had the same under consideration and recommend the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Shure of Cass moved that the vote by which House Bill No. 310 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

House Bill No. 95. A Bill for an Act Authorizing, Empowering, and Directing, the Board of Administration to Secure Plans and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements to Build and Construct Power Plants; Including Buildings, at the Agricultural College Located at Fargo, North Dakota, and Mayville Normal at Mayville, North Dakota, of Sufficient Size to Provide Adequate Electrical Current for the Needs of Said Institutions; Employ Architects, Superintendents; Authorizing the Board of Administration to Do All Things Necessary in Order to Fully Erect and Complete Said Power Plants and Place the Same in Operation; Specifying Circumstances Under Which the Provisions of This Act Shall Not Be Carried Out.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which House Bill No. 95 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Fitch to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees and Hedge Plants as a Credit on the Payment of Real Estate Taxes on the Land on Which Said Trees or Hedge Plants are Planted, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything in the printed bill after the words "A BILL" and insert in lieu thereof the following:

"For an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. BOUNTY FOR TREE PLANTING.) Any person who shall hereafter plant, cultivate and keep in growing, thrifty condition one acre and not more than ten acres of prairie land with any kind of forest trees, and shall plant, or have planted, said trees, shall be entitled to four dollars for each acre so planted and cultivated and two (\$2.00) dollars bounty per acre for each succeeding year up to four, in which such trees are kept cultivated and growing, to be paid out of the general fund of the county wherein such trees are so planted, but such bounty shall not be so paid unless such grove be maintained upon a tract of not less than eighty acres and shall have at least four hundred living trees in each acre so maintained and kept in growing condition, and in no case shall any bounty be paid in excess

of the amount of real estate taxes levied for such year upon the quarter section of land of which such parcel of land planted to trees is a part.

“SECTION 2. ALONG HIGHWAYS. LIMIT OF BOUNTY.) Every person planting such forest tree or trees suitable for hedge in rows as boundary lines along the public highways or on any other portion of his premises, which rows shall contain not less than two living trees to each rod and who shall in other respects comply with the provisions of this article shall annually receive a bounty at the rate of two dollars for every eighty rods of each row in length; provided, however, that no bounty shall be paid or deduction allowed under the provisions of this article for a longer period than five years upon any one tract or row of trees.

“SECTION 3. PROOF OF PLANTING.) Any person wishing to secure the benefits of this Act shall, during the month of June, next after expiration of one year after planting such grove, row or rows of trees, and annually thereafter, file with the county auditor of the county in which the same is located, a correct plat of the land, describing the section or fraction thereof on which said grove, row or rows have been planted or cultivated, and shall make due proof under oath of such planting and cultivation as well as of title to the land; setting forth the facts in relation to the growth and cultivation of the grove, row or rows of trees for which such bounty is demanded; provided, this article shall not apply to any railroad company for planting trees within two hundred feet of its track for the purpose of making a snow-fence, nor to any trees planted upon land held and acquired under the timber culture laws of the United States.

“SECTION 4. EXAMINATION AND REPORT BY ASSESSOR.) It is hereby made the duty of the assessor of every town or county at the time of making his assessment, to ascertain whether or not trees have been planted by any land owners in his town or county and for which compensation is claimed under this article, and in case trees have been planted and such compensation is claimed the assessor shall personally examine the grove or line of trees and make report to the extent and conditions thereof according to the prescribed form, the same to be returned to the county auditor with the other returns and assessment book.

“SECTION 5. REPEAL.) All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

“SECTION 6. 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 the further amendment:

In Section 2, line 8 after the word “row”, add the following: “such trees so planted shall be not less than 75 feet nor more than 100 feet from said highway”.

And when so amended recommend the same do pass.

Also,

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

In line 2 of the Title after the figures "1913", insert the following: "as amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and further amended by the Initiated Measure passed June 29, 1932, by the people of this State of North Dakota."

In Section 1, line 2, after the figures "1913", insert as follows: "As amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and further amended by the Initiated Measure passed June 29, 1932, by the people of the State of North Dakota".

And the further amendment:

Correct the last line of the first amendment of the committee's report by striking out the word "this" and inserting in lieu thereof the word "the".

And when so amended recommend the same do pass.

Also,

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

And recommend the adoption of the Standing Committee's amendments as follows:

On Original bill, page 1, sub-section b, line 3, which is page 2, line 14 on printed bill, strike out the figures "25" and insert in lieu thereof the figures "10".

Also on original bill page 2, subsection e, line 2, which is on page 3, line 50 on printed bill, after the word "Twenty-five", insert the following: "or more than forty-seven".

And the further amendments:

Correct the report of the Standing Committee by striking out the figure "10" in the first amendment and inserting in lieu thereof the figure "20".

And when so amended recommend the same do pass.



House Bill No. 308. A Bill for an Act to Make a Sales Tax Replacement Tax and Provide a Method of Replacement.

And recommend the adoption of the Standing Committee's amendments as follows:

In the title strike out everything after the words "A BILL" and insert the following in lieu thereof: "For an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons and Declaring an Emergency."

Also in line 6, page 1 of the printed bill, strike out the word "merchants" and insert in lieu thereof the word "person".

Also in line 8, page 2, of the printed bill, strike out the word "merchants" and insert in lieu thereof the word "person".

Also in line 10, page 2 of the printed bill, after the word "therefore" insert the following: "The Coupon Books shall be issued in the name of the purchaser who shall sign his name thereto".

Also in line 8, page 3, after the word "assignable" insert the following: "And such coupon must be detached from the coupon book in the presence of the person accepting the coupons".

Also after Section 4, insert the following: "Section 5. PENALTY.) Any person, firm or corporation who shall transfer or assign said sales tax coupons, or who shall accept such sales tax coupons by virtue of such transfer or assignment, or who shall violate any of the other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than twenty-five (\$25.00) dollars, or imprisonment in the county jail for a period not to exceed thirty days, or both such fine and imprisonment as the court may direct.

Re-number Section 5 of the Printed Bill to read Section 6.

Also add a new Section to be known as Section 7, as follows: "Section 7. EMERGENCY.) An emergency is hereby declared to exist and this Act shall be in full force and effect from and after the date of its passage and approval."

And the further amendments:

In the second paragraph of the committee amendments change "person" in each case to read "persons." In the same paragraph of the committee report correct the word "therefore" to read therefor."

And when so amended recommend the same do pass.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-

enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill, on page 2, line 17, which is page 3, line 41 on printed bill, preceding the word "Provided," insert the following: "Application for refunds or re-payments shall not be made oftener than at the beginning of the quarter of each calendar year."

And when so amended recommend that the same do pass.

Also,

House Bill No. 364. A Bill for an Act to Amend and Re-enact Section 5, Chapter 106, Session Laws of 1927 as Amended and Re-enacted by Section 2, Chapter 105, Session Laws of 1931; Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of This Act.

And recommend the adoption of the Standing Committee's amendments found on page 1280 to 1285 of the House Journal.

And the further amendments:

Amend the committee amendments by striking out all of Section 5 and renumbering the following sections.

Amend the committee report by changing the word "seven" in line three of Section 9 to read "two".

And when so amended recommend the same do pass.

Also,

HOUSE CONCURRENT RESOLUTION "A-1," Relating to Production of Alcohol for Blending Purposes.

And recommend the adoption of the standing committee's amendments as follows:

Line 4, after the word "of," strike out the name "C. S. Ladd" and insert in lieu thereof the word "the".

And when so amended recommend that the same do pass.

K. A. FITCH,  
Chairman.

Mr. Traynor moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 23, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City Council, Providing Form of Ballot, Notice of Election, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 275. 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.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Com-

piled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Also,

#### HOUSE CONCURRENT RESOLUTION "W."

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 23, 1937

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 60. A Bill for an Act Making an Appro-

riation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Was delivered to the Governor for his approval at the hour of 5:00 o'clock P. M. February 23, 1937.

L. R. BURGUM,  
Chairman.

Mr. Shure, of Cass, moved that the House recess for ten minutes, which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 4:30 P. M., pursuant to recess, Speaker Dahl presiding.

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House reconsider the vote by which House Bill No. 151 was declared lost

Which motion was lost.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 23, 1937

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 23, 1937

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

Also,

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Also,

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 4444 and 4446 of Chapter 9 of the Supple-

ment to the Compiled Laws of North Dakota for the Year 1913, Providing for Adoption of Minors and Adults, and Declaring an Emergency.

Also,

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Also,

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

Also,

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4 of Chapter 138 of the North Dakota Session Laws for the Year 1929, Entitled "An Act to Provide for the Storage of Grain Upon Farms and on or Near Railway Rights-of-Way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of 'Grain Storage Commissioner of North Dakota,' Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## SECOND READING OF HOUSE BILLS

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; 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, 83; nays, 23; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Anderson	Holmquist	Peterson, Richland
Anfinson	Holthusen	Pewe
Beaton	Hultstrand	Rait
Beggs	Huseby	Ritter
Benno	Ireland	Sand
Biberdorf	Jensen	Sandness
Billigmeier	Jury	Savre
Bjornson	Just	Schauss
Black	Knutson, LaMoure	Schimke
Brown	Krank	Seibel
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McIntee	Stray
Dullea	Magill	Thoreson
Frazier	Morland	Treffry
Freitag	Morris	Tuff
Frey	Myers	Tweten
Frosaker	Niewoehner	Urschel
Gilberg	Norheim	Wendland
Goodlaxon	Obach	White
Graham	O'Brien	Wick
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Kapaun	Saumur
Beasley	Kraus	Shure, Cass
Bieloh	Nelson, Sargent	Symington
Blair	Odegard	Traynor
Fitch	Oglesby	Trydahl
Gessner	Olson, Sargent	Twichell
Holm	Page	Mr. Speaker
Jones	Peterson, Renville	



Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Knudson, Steele	Nelson, Cass
Godwin	McInnes	Thompson
Johnson		

So the bill passed, the title was agreed to and the Emergency Clause was Declared Carried.

Mr. Sand moved that the vote by which House Bill No. 199 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Fitch to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything after the enacting clause and insert in lieu thereof the following.

"SECTION 1. AMENDMENT) That Sub-division 'U' of Section fifty-one (51) of Chapter 96 of the Session Laws of North Dakota for 1931 be amended and re-enacted to read as follows:

SECTION 51. ADMINISTRATION OF INSOLVENT BANKS) Subdivision 'U'. LIQUIDATION BY DEPOSITORS) When any bank shall be closed and taken charge of by the receiver as provided for herein, or while proceedings are pending for taking charge thereof hereunder, articles of agreement and a plan for liquidation by a liquidating committee may be submitted to the State Examiner. Such plan must, among other things, contain the names of six persons who may or may not be depositors, from among whom, if the application is granted by the Court as hereinafter provided, the Court may select three to act as such liquidating committee. There shall also be submitted with such plan and articles of agreement and the consent in writing of all of

such proposed members of the liquidating committee to act on such committee if selected by the Court. It shall be the duty of the State Examiner to act in an advisory capacity to the persons interested in the plan. He shall pass upon the feasibility and practicability of the same, and either approve or disapprove thereof. If he disapproves the plan, it shall be his duty to formulate and present in lieu thereof an agreement and plan which meets with his approval."

"Such agreement and plan so approved by the State Examiner shall thereupon be by the applicants presented to the deposit creditors of such bank for execution by each depositor in person, or by his representative holding a power of attorney to act in the premises, sworn to before a Notary Public or other officer empowered to administer oaths, which power of attorney shall accompany such agreement and plan. When deposit creditors thereof, representing not less than fifty-one percent (51%) of the amount of deposits of such bank exclusive of public money secured by indemnity bonds or otherwise, and also exclusive of deposits of less than twenty-five dollars each, have executed said articles of agreement and plan for liquidation, all other unsecured depositors shall be held subject to such agreement and all the terms thereof to the same extent and effect as if they had joined in its execution, and the same may be presented to the Court Commissioner or judge of the district court designated by the Supreme Court as hereinbefore provided, together with an application to have the liquidation of the said bank withdrawn from the receivership and vested in a liquidation committee. Such Court Commissioner or district judge, as the case may be, shall thereupon make an order fixing a time and place for the hearing of such application, which hearing shall be held in the town where such bank is located. Ten days' notice of such hearing, containing a statement of the purpose, time and place thereof, must be given by the applicants by registered mail to the receiver of such bank, to the State Examiner, and to each deposit creditor shown of record on the books of the bank at the time of closing, and for the purpose hereof such records shall be by the receiver of such bank made available to the applicants upon demand.

"Upon the hearing the Court shall advise itself fully in regard to the status of the existing receivership, the feasibility of the proposed plan, the competency of the proposed members of the liquidating committee and its several members to act in the proposed capacity, and it shall have the power to select three persons from the names submitted in such plan and articles of agreement to act as a liquidating committee, and to prescribe the terms and conditions upon which the liquidation of the affairs of such bank will be transferred from the receivership to such committee. It may also permit the applicants, with the consent of the State Examiner, to modify or amend the said proposed plan of liquidation. If no good reason is presented by the application as originally made or as amended should not be granted, the Court must make its order appointing three persons from among the names submitted with said plan, to act as joint receivers of said bank in the place and stead of the

existing receiver, prescribe the amount of the bond, if any, which they should be required to give upon qualifying as receivers and the manner of their reporting and accounting to the Court, directing the existing receiver to account to them and turn over all of the assets of the receivership, first deducting the proper expense and charges for administration of the receivership up to such time, the amount thereof to be agreed upon between the existing and the new receivers, or in case of disagreement to be settled by the Court; but the failure of the parties to so agree shall not delay the transfer of the assets and effects to the new receivers, except such thereof as are claimed by the old receiver as compensation, as aforesaid, and the correctness of such claim shall be subsequently determined by the Court.

"Upon so accounting and surrendering the assets and effects to the said new receivers, the existing receiver shall take their receipt therefor, and he shall be thereupon discharged from all liability and responsibility in connection with the further liquidation of such bank, and the said new receivers shall be deemed to have assumed the same liability, responsibility and accountability to the Court as other receivers. Any vacancy in the office of such receivers so appointed by the Court as hereinbefore provided, shall be filled by the remaining receivers with the approval of the Court, and in the event that all of said receivers shall vacate their office for any cause simultaneously, then the Court shall fill such vacancies."

And the further amendments:

Amend the committee report as follows: At the end of the title strike out the period, insert a comma, and add the words "And Declaring an Emergency."

At the end of the bill add 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.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repeal All Acts in Conflict Herewith.

And recommended the adoption of the Standing Committee's amendments as follows:

In the title of the original bill strike out the first and second lines down to the semicolon (;) and insert in lieu thereof the following: "For an act to amend and re-enact Chapter 229

of the 1933 Session Laws of the State of North Dakota as amended by Chapter 260 of the Session Laws of 1935;”

In line 7 in the title of the bill after the word “Districts” and before the word “repeal” insert the following words “and to provide for penalty for making false report”

On page 1 of the original bill which is page 1 of the printed bill, after the enacting clause, insert a new Section 1 as follows: “Section 1. AMENDMENT.) Chapter 229 of the Session Laws of North Dakota for 1933, as amended by Chapter 260 of the Session Laws of 1935, is hereby amended and re-enacted to read as follows:”

Renumber the remaining Sections thus: “Section 1 will be Section 2; Section 2 will be Section 3” etc.

In Sec. 2, subsection (a), line 13 of the original bill which is line 17, page 3, of the printed bill, after the word “to” and before the word “such” insert the word “by”.

Page 2, line 28 of the printed bill, subsection (b) which is pages 3 and 4 of the printed bill, strike out lines 33 to 43, inclusive.

On page 3, line 43, of Section 2 of the printed bill, which is page 4, subsection (c), subsection (4) of the printed bill, strike out the subsection down to and including the word “instruments” and the period in line “60,” and insert in lieu thereof the following: “(4) That such district must furnish satisfactory proof that it has made an effort to sell certificates of indebtedness; further, it must furnish satisfactory proof that it either has no further power to issue warrants or that if such warrants were issued they would not be acceptable as normal commercial instruments.”

Page 3, Section 2, subsection (d) of the original bill which is page 5 of the printed bill, lines 64 and 65 of the title of this subsection strike out the words “NINE MONTH TERM ONLY” and substitute in lieu thereof the words “NOT MORE THAN SEVEN MONTHS IN ANY ONE SCHOOL YEAR.” In the same subsection (d), line 66 of the printed bill, after the word “Section” strike out the remainder of the subsection and insert in lieu thereof after the word “Section” in line 66, the following: “for not more than seven months in any one school year.”

In subsection (e), page 3, line 59 of the original bill, which is page 5, subsection (e), line 75 of the printed bill, strike out the word “schools” and comma and insert in lieu thereof a period. In the same line capitalize the letter “I” in the word “In”.

In subsection (h), Section 3, pages 3 and 4 of the original bill which is page 6, subsection (h), line 94 of the printed bill, strike out after the word “shall” the remainder of subsection (h) and insert in lieu thereof in line 94 after the word “shall” the following: “be available for distribution on a teacher-unit basis as provided in Section 7 of this act.”

In subsection (i), of Section 3, page 4 of the original bill, which is page 6, subsection (i), line 102 of the printed

bill, after the word "salaries," strike out the period and insert the following: "for the current year."

In Section 4, line 16 of the original bill, which is page 7, line 18, of the printed bill, strike out the words "the nearest" and substitute in lieu thereof the word "a".

On page 4, Section 4, line 27 of the original bill, which is Section 3, page 7, line 31 of the printed bill, after the word "certify" and before the word "to," insert the following: "and the clerk shall attest". In the same section, line 28 of the original bill, which is line 33 of the printed bill, after the word "of" and before the words "of attendance," strike out the word "days" and insert in lieu thereof the word "weeks." In the same section, line 33 of the printed bill, after the word "and" and before the word "taken," strike out the word "subjects" and insert in lieu thereof the words "number of units of high school work".

In Section 5, line 4 of the original bill, which is page 9, Section 5, lines 4 and 5 of the printed bill, strike out the words and figures "forty thousand dollars, (\$40,000)" and insert in lieu thereof the words and figures "sixty-five thousand dollars, (\$65,000)".

On page 5, Sec. 6, line 2 of the original bill which is page 9, Sec. 6, line 3 of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries". In the same section, line 5 of the original bill, which is line 7 of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries". Also, in the same section, line 9 of the original bill, which is line 12, page 10, of the printed bill, strike out the word "commerce" and insert in lieu thereof the words "distributive industries".

On page 6, Sec. 7, line 5 of the original bill which is page 10, Sec. 7, line 6 of the printed bill, after the word "districts" and before the word "of" insert the words "and County Agricultural and Training Schools". In the same section, in line 6 of the original bill which is line 8, page 10, of the printed bill, after the word "districts" and before the word "during" insert the words "and County Agricultural and Training Schools".

Page 6, Sec. 8, line 14 of the original bill which is page 11, Sec. 8, line 17 of the printed bill, add after the word "classes" the following words: "In defining teacher-unit as applied to consolidated schools, consideration shall be given to the teacher-pupil ratio and to the territory served by such schools".

On page 8, Sec. 9, line 29 of the original bill which is page 13, Sec. 9, line 34 of the printed bill, after the word "and" strike out the word "commerce" and insert in lieu thereof the words "distributive industries".

Page 8, Sec. 10, line 5 of the original bill which is page 14, Sec. 10, line 6 of the printed bill, strike out after the words "economics and" the word "commerce" and insert in lieu thereof the words "distributive industries".

On page 10 of the original bill which is page 16 of the printed bill, renumber Sec. 14 to read as Sec. 15 and insert a new Sec. 14 as follows: "Sec. 14. PENALTY FOR FALSE REPORTS.) It shall be considered a misdemeanor, punishable by fine or imprisonment, or both, for any school official to falsify any report made in connection with the administration of this fund".

And the further amendment:

In Section 8, page 11, lines 16 and 17, strike out the comma after the word schools, insert a period, and strike out the language "and the discouragement of the maintenance of small schools, and small classes".

And when so amended recommend the same do pass.

Also,

House Bill No. 224. A Bill for an Act to Provide for the Management and Control of State Institutions of Higher Education; Creating a State Board of Higher Education for the Control of the State Institutions of Higher Education; to Prescribe Its Powers and Duties; to Provide for the Appointment of a Commissioner of Higher Education and to Prescribe His Powers and Duties; to Provide an Appropriation to Carry Out the Purposes of This Act and Repealing All Acts or Parts of Acts in Conflict or Inconsistent Therewith.

And recommend that further consideration of the same be indefinitely postponed.

K. A. FITCH,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the vote by which House Bill No. 349 was declared lost be reconsidered, which motion prevailed.

Mr. Godwin moved that House Bill No. 349 be placed on the calendar, which motion prevailed.

Mr. Anfinson requested an extension of time on Senate Bill No. 138, which extension was granted.

Mr. Godwin moved that the House recess until 7:30 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 7:30 P. M., pursuant to recess, Speaker Dahl presiding.

## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign

## HOUSE RESOLUTION "L".

And the Speaker signed the same in the presence of the House.

## SECOND READING OF HOUSE BILLS

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of State Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale

and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Was read the second time.

Mr. Trydahl asked the unanimous consent of the House to amend House Bill No. 125 as follows: In Section 8, Sub-division 5, line 17, change the word "life" to "file"; correct the spelling of the word "enumeration" and "enumerated" in Section 23; correct the spelling of the word "Section" before the figures "24" in Section 24; in line 9 of Section 37 change the word "irrepealable" to read "irreparable"; which consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 125 be considered properly re-engrossed and placed on 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, 72; nays, 33; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Haines	Pewe
Anfinson	Hofstrand	Rait
Beaton	Holmquist	Ritter
Beggs	Hultstrand	Sand
Biberdorf	Huseby	Saumur
Bieloh	Ireland	Savre
Billigmeier	Jensen	Schauss
Bjornson	Just	Schimke
Brown	Kapaun	Seibel
Brusseau	Knutson, LaMoure	Semerad
Burgum	Krank	Shurr, Bottineau
Byrne	Kraus	Solberg
Caddell	Langford	Sticka
Day	Livingston	Stray
Fitch	McIntee	Thoreson
Frazier	Magill	Treffry
Freitag	Morland	Tuff
Frey	Morris	Tweten
Frosaker	Myers	Urschel
Gessner	Obach	White
Godwin	Olson, Adams	Wick
Graham	Olson, Bowman	Wolf
Greiser	Olson, McLean	Mr. Speaker
Hagen	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Peterson, Renville
Akland	Leum	Peterson, Richland
Beasley	Levin	Sandness



Messrs.	Messrs.	Messrs.
Benno	Niewoehner	Severson
Black	Nelson, Sargent	Shure, Cass
Blair	Norheim	Symington
Dalzell	O'Brien	Traynor
Dullea	Odegard	Trydahl
Gilberg	Oglesby	Twichell
Goodlaxon	Olson, Sargent	Wendland
Holm	Page	Williams
Jones		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Knudson, Steele	Nelson, Cass
Holthusen	LaBerge	Thompson
Johnson	McInnes	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Mr. Sand moved that the vote by which House Bill No. 125 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

Was read the second time.

Mr. Olson of Adams moved that further consideration of House Bill No. 315 be indefinitely postponed.

Mr. Twichell moved the previous question, which motion prevailed.

The question being on Mr. Olson's motion that House Bill No. 315 be indefinitely postponed, the motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 50; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Rait
Akland	Hofstrand	Ritter
Anfinson	Jones	Sand
Beaton	Just	Saumur
Benno	Kapaun	Schauss

Messrs.	Messrs.	Messrs.
Bieloh	Krank	Schimke
Billigmeier	Kraus	Semerad
Byrne	LaBerge	Sticka
Day	Livingston	Stray
Dullea	McIntee	Thoreson
Fitch	Magill	Tuff
Frazier	Morris	Tweten
Freitag	Obach	Urschel
Frosaker	O'Brien	Wendland
Gessner	Page	Williams
Gilberg	Peterson, Renville	Wolf
Godwin	Pewe	Mr. Speaker
Greiser		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Peterson, Bot'neau
Beasley	Ireland	Peterson, Richland
Beggs	Jensen	Sandness
Biberdorf	Jury	Savre
Bjornson	Langford	Seibel
Black	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Morland	Shurr, Bottineau
Brusseau	Myers	Solberg
Burgum	Niewoehner	Symington
Caddell	Norheim	Traynor
Dalzell	Odegard	Treffry
Goodlaxon	Oglesby	Trydahl
Graham	Olson, Adams	Twichell
Hagen	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Johnson	Nelson, Cass
Frey	Knudson, Steele	Nelson, Sargent
Holthusen	Knutson, LaMoure	Thompson
Hultstrand	McInnes	

So the bill was lost.

Mr. Solberg moved that the vote by which House Bill No. 315 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of

This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to 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, 83; nays, 20; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Pewe
Akland	Holm	Rait
Anderson	Holmquist	Ritter
Anfinson	Huseby	Sand
Beaton	Ireland	Sandness
Beggs	Jensen	Savre
Benno	Jury	Schauss
Biberdorf	Just	Schimke
Billigmeier	Knutson, LaMoure	Seibel
Bjornson	Krank	Semerad
Brown	Kraus	Severson
Brusseau	Levin	Shurr, Bottineau
Burgum	McIntee	Solberg
Caddell	Magill	Sticka
Dalzell	Morland	Stray
Dullea	Morris	Symington
Fitch	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Obach	Treffry
Frosaker	O'Brien	Tuff
Gessner	Oglesby	Tweten
Gilberg	Olson, Adams	Urschel
Godwin	Olson, Bowman	Wendland
Goodlaxon	Olson, McLean	White
Graham	Olson, Sargent	Williams
Greiser	Peterson, Bot'neau	Wolf
Hagen	Peterson, Renville	Mr. Speaker
Haines	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Page
Bieloh	LaBerge	Saumur
Black	Langford	Shure, Cass
Blair	Leum	Trydahl
Byrne	Livingston	Twichell
Day	Norheim	Wick
Jones	Odegard	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Johnson	Nelson, Cass
Frey	Knudson, Steele	Nelson, Sargent

Messrs.	Messrs.	Messrs.
Holthusen	McInnes	Thompson
Hultstrand		

So the bill passed and the title was agreed to.

Mr. Freitag moved that the vote by which House Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforcible or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Was read the second time.

Mr. Godwin asked the unanimous consent of the House to amend House Bill No. 141 by striking out the words "in the Burleigh County District Court" in Section 5, page 3, line 7, which consent was granted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 141 be considered properly re-engrossed and placed on 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, 101, nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Richland
Akland	Holthusen	Pewe
Anderson	Hultstrand	Rait
Anfinson	Huseby	Ritter
Beasley	Ireland	Sand
Beaton	Jensen	Sandness
Beggs	Jones	Saumur
Benno	Kapaun	Savre
Biberdorf	Krank	Schauss
Bieloh	Kraus	Schimke
Billigmeier	LaBerge	Seibel
Bjornson	Langford	Semerad
Black	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Livingston	Shurr, Bottineau
Brusseau	McIntee	Solberg
Burgum	Magill	Sticka
Caddell	Morland	Stray
Dalzell	Morris	Symington
Day	Myers	Thoreson
Dullea	Niewoehner	Traynor
Fitch	Nelson, Sargent	Treffry
Frazier	Norheim	Trydahl

Messrs.	Messrs.	Messrs.
Freitag	Obach	Tuff
Gessner	O'Brien	Tweten
Gilberg	Odegard	Twichell
Godwin	Oglesby	Urschel
Goodlaxon	Olson, Adams	Wendland
Graham	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Hagen	Olson, Sargent	Williams
Haines	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker
Holm	Peterson, Renville	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Johnson	Knutson, LaMoure
Dittmer	Jury	McInnes
Frey	Just	Nelson, Cass
Frosaker	Knudson, Steele	Thompson

So the bill passed and the title was agreed to. The emergency clause was declared carried.

House Bill No. 267. A Bill for an Act Authorizing, Empowering and Directing the Industrial Commission, in Its Discretion, to Secure Plans, and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements for the Installation and Completion of a State Printing Plant at Such Place Within the State of North Dakota as May Seem Most Desirable; to Do All Things Necessary in Order to Fully Complete, Erect and Place in Operation Such Printing Plant; Providing for 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, 53; nays, 50; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Sand
Akland	Holmquist	Schauss
Anderson	Hultstrand	Schimke
Anfinson	Jensen	Seibel
Beaton	Krank	Semerad
Beggs	Levin	Shurr, Bottineau
Bieloh	Livingston	Sticka
Billigmeier	McIntee	Stray
Bjornson	Myers	Thoreson
Brown	Obach	Treffry
Brusseau	Odegard	Tuff
Caddell	Olson, Adams	Tweten
Frazier	Olson, Bowman	Urschel
Freitag	Olson, McLean	White
Godwin	Peterson, Bot'neau	Williams
Greiser	Pewe	Wolf

Messrs.	Messrs.	Messrs.
Hagen	Rait	Mr. Speaker
Haines	Ritter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Ireland	Olson, Sargent
Benno	Jones	Page
Biberdorf	Jury	Peterson, Renville
Black	Just	Peterson, Richland
Blair	Kapaun	Sandness
Burgum	Kraus	Saumur
Dalzell	LaBerge	Savre
Day	Langford	Severson
Dullea	Leum	Shure, Cass
Fitch	Magill	Solberg
Frosaker	Morland	Symington
Gessner	Morris	Traynor
Gilberg	Niewoehner	Trydahl
Goodlaxon	Nelson, Sargent	Twichell
Graham	Norheim	Wendland
Holm	O'Brien	Wick
Huseby	Oglesby	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Johnson	McInnes
Dittmer	Knudson, Steele	Nelson, Cass
Frey	Knutson, LaMoure	Thompson
Holthusen		

So the bill was lost.

Mr. Page moved that the vote by which House Bill No. 267 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that House Bill No. 378 be placed on the calendar, which motion prevailed.

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and 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, 102; nays, 2; absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anderson	Ireland	Pewe
Anfinson	Jensen	Rait

Messrs.	Messrs.	Messrs.
Beaton	Jones	Ritter
Beggs	Jury	Sand
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Krank	Savre
Billigmeier	Kraus	Schauss
Bjornson	LaBerge	Schimke
Black	Langford	Seibel
Blair	Leum	Semerad
Brown	Levin	Severson
Brusseau	Livingston	Shure, Cass
Burgum	McInnes	Shurr, Bottineau
Caddell	McIntee	Solberg
Dalzell	Magill	Sticka
Day	Morland	Stray
Dullea	Morris	Symington
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Beasley	Fitch

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Holthusen	Knutson, LaMoure
Dittmer	Johnson	Nelson, Cass
Frey	Knudson, Steele	Thompson

So the bill passed, the title was agreed to, and the emergency clause was declared passed.

Mr. Fitch moved that the vote by which House Bill No. 304 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing 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, 67; nays, 35; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Rait
Akland	Holmquist	Ritter
Anderson	Hultstrand	Sand
Beaton	Huseby	Savre
Beggs	Ireland	Schauss
Biberdorf	Jensen	Schimke
Bieloh	Jones	Seibel
Billigmeier	Just	Semerad
Bjornson	Krank	Shure, Cass
Brown	Leum	Shurr, Bottineau
Brusseau	Levin	Sticka
Caddell	Livingston	Stray
Dalzell	McIntee	Thoreson
Day	Morland	Treffry
Frazier	Myers	Tuff
Freitag	Obach	Tweten
Frosaker	Odegard	Urschel
Gilberg	Olson, Adams	White
Godwin	Olson, Bowman	Wick
Goodlaxon	Olson, McLean	Williams
Greiser	Peterson, Bot'neau	Wolf
Hagen	Pewe	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kraus	Peterson, Renville
Benno	LaBerge	Peterson, Richland
Black	Langford	Sandness
Blair	Magill	Saumur
Byrne	Morris	Severson
Dullea	Niewoehner	Solberg
Fitch	Nelson, Sargent	Symington
Gessner	Norheim	Traynor
Graham	O'Brien	Trydahl
Holm	Oglesby	Twichell
Jury	Olson, Sargent	Wendland
Kapaun	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Holthusen	McInnes
Burgum	Johnson	Nelson, Cass
Dittmer	Knudson, Steele	Thompson
Frey	Knutson, LaMoure	

So the bill passed, the title was agreed to, and the emergency clause was declared lost.

Mr. Godwin moved that the vote by which House Bill No. 336 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 to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

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, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Jones	Ritter
Beggs	Jury	Sand
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Krank	Savre
Billigmeier	Kraus	Schauss
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Byrne	McIntee	Solberg
Caddell	Magill	Sticka
Dalzell	Morland	Stray
Day	Morris	Symington
Dullea	Myers	Thoreson
Fitch	Niewoehner	Traynor
Frazier	Nelson, Sargent	Treffry
Freitag	Norheim	Trydahl
Frosaker	Obach	Tuff
Gessner	O'Brien	Twichell
Gilberg	Odegard	Urschel
Godwin	Oglesby	Wendland
Goodlaxon	Olson, Adams	White
Graham	Olson, Bowman	Wick
Greiser	Olson, McLean	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Huseby	Nelson, Cass
Dittmer	Johnson	Schimke
Frey	Knudson, Steele	Thompson
Hagen	Knutson, LaMoure	Tweten
Holthusen	McInnes	

So the bill passed and the title was agreed to.

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger

Trains at County Seats, and Repealing 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, 94; nays, 2; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Jones	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Krank	Saumur
Billigmeier	Kraus	Schauss
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Byrne	McIntee	Solberg
Caddell	Magill	Sticka
Dalzell	Morland	Stray
Dullea	Morris	Symington
Fitch	Myers	Thoreson
Frazier	Nelson, Sargent	Traynor
Freitag	Norheim	Treffry
Frosaker	Obach	Trydahl
Gessner	O'Brien	Tuff
Godwin	Odegard	Tweten
Goodlaxon	Oglesby	Twichell
Graham	Olson, Adams	White
Greiser	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Wolf
Holm	Page	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.
Beaton	Savre

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Holthusen	Nelson, Cass
Day	Johnson	Schimke
Dittmer	Knudson, Steele	Thompson
Frey	Knutson, LaMoure	Urschel
Gilberg	McInnes	Wendland
Hagen	Niewoehner	

So the bill passed, the title was agreed to and the emergency clause was declared carried.

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

Was read the second time.

Mr. Godwin moved that further consideration of House Bill No. 369 be indefinitely postponed, which motion prevailed.

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

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, 80; nays, 20; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Oglesby
Anderson	Hofstrand	Olson, Adams
Anfinson	Holm	Olson, Bowman
Beasley	Holmquist	Olson, McLean
Benno	Hultstrand	Olson, Sargent
Biberdorf	Huseby	Peterson, Richland
Bieloh	Ireland	Peterson, Renville
Billigmeier	Jensen	Ritter
Bjornson	Jones	Sand
Blair	Jury	Saumur
Brown	Kapaun	Schauss
Brusseau	Krank	Schimke
Rurgum	Kraus	Seibel
Byrne	LaBerge	Semerad
Caddell	Leum	Shure, Cass
Day	Levin	Sticka
Dullea	Livingston	Stray
Fitch	McIntee	Thoreson
Frazier	Morland	Traynor
Freitag	Morris	Treffry
Frosaker	Myers	Wendland
Gessner	Niewoehner	White
Gilberg	Nelson, Sargent	Wick
Godwin	Norheim	Williams
Graham	Obach	Wolf
Greiser	O'Brien	Mr. Speaker
Hagen	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Page	Symington
Beaton	Pewe	Trydahl
Beggs	Sandness	Tuff
Black	Savre	Tweten
Dalzell	Severson	Twichell
Langford	Shurr, Bottineau	Urschel
Magill	Solberg	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Just	Nelson, Cass
Frej	Knudson, Steele	Peterson, Bot'neau
Goodlaxon	Knutson, LaMoure	Rait
Holthusen	McInnes	Thompson
Johnson		

So the bill passed and the title was agreed to.

Mr. Bjornson 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.

The Speaker called Mr. Wolf to the chair.

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 3176a5, Supplement to the Compiled Laws of 1913, Defining the Duties of Official Newspapers; Providing for Publication of Legal Publications in Other Than the Official Newspaper in Certain Cases After January 1, 1939, and Relating to Payment of Fees for Official Publications.

Was read the second time.

Mr. Bieloh 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, 63; nays, 38; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Anderson	Huseby	Rait
Anfinson	Jensen	Ritter
Benno	Jury	Sand
Bieloh	Krank	Saumur
Billigmeier	LaBerge	Schauss
Black	Leum	Schimke
Brusseau	Levin	Seibel
Burgum	Livingston	Semerad
Day	McIntee	Shurr, Bottineau
Dullea	Morris	Sticka
Frazier	Myers	Stray
Frosaker	Niewoehner	Thoreson

Messrs.	Messrs.	Messrs.
Godwin	Obach	Tuff
Graham	O'Brien	Tweten
Greiser	Odegard	Urschel
Hagen	Olson, Adams	Wendland
Haines	Olson, McLean	Wick
Hofstrand	Page	Williams
Holm	Peterson, Bot'neau	Wolf
Holmquist	Peterson, Renville	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Goodlaxon	Pewé
Beasley	Ireland	Sandness
Beaton	Jones	Savre
Beggs	Kapaun	Severson
Biberdorf	Kraus	Shure, Cass
Bjornson	Langford	Solberg
Blair	Magill	Symington
Brown	Morland	Traynor
Byrne	Nelson, Sargent	Treffry
Caddell	Norheim	Trydahl
Dalzell	Oglesby	Twichell
Freitag	Olson, Bowman	White
Gilberg	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Holthusen	Knutson, LaMoure
Fitch	Johnson	McInnes
Frey	Just	Nelson, Cass
Gessner	Knudson, Steele	Thompson

So the bill was declared lost.

Mr. O'Brien moved that the vote by which House Bill No. 279 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; 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, 85; nays, 16; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Anderson	Holmquist	Olson, McLean

Messrs.	Messrs.	Messrs.
Anfinson	Hultstrand	Peterson, Bot'neau
Beaton	Huseby	Peterson, Renville
Beggs	Ireland	Peterson, Richland
Biberdorf	Jensen	Pewe
Billigmeier	Jury	Rait
Bjornson	Just	Sand
Brown	Kapaun	Sandness
Brusseau	Krank	Saumur
Burgum	Kraus	Savre
Byrne	LaBerge	Schauss
Caddell	Langford	Schimke
Dalzell	Leum	Seibel
Day	Levin	Shurr, Bottineau
Dullea	Livingston	Solberg
Fitch	McIntee	Sticka
Frazier	Magill	Stray
Freitag	Morland	Symington
Frosaker	Morris	Thoreson
Gessner	Myers	Treffry
Gilberg	Niewoehner	Tuff
Godwin	Norheim	Tweten
Goodlaxon	Obach	Urschel
Graham	O'Brien	White
Greiser	Odegard	Williams
Hagen	Oglesby	Wolf
Haines	Olson, Adams	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Page	Traynor
Bieloh	Ritter	Trydahl
Black	Semerad	Twichell
Blair	Severson	Wendland
Nelson, Sargent	Shure, Cass	Wick
Olson, Sargent		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Knutson, LaMoure
Benno	Johnson	McInnes
Dittmer	Jones	Nelson, Cass
Frey	Knudson, Steele	Thompson

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Frazier moved that the vote by which House Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Twichell: I want to explain my reason for voting "no" on this bill. This is one of the bills that does not comply with the requirements the federal government is asking in furnishing us the aid we need.

HOUSE CONCURRENT RESOLUTION No. 356. An Act for an Amendment to the Constitution of the State of

North Dakota Providing for a Managers Plan of County Government in Certain Counties.

Was read the second time.

### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 90; nays, 12; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Peterson, Renville
Akland	Hofstrand	Peterson, Richland
Anderson	Holmquist	Pewe
Anfinson	Hultstrand	Rait
Beasley	Huseby	Ritter
Beggs	Ireland	Sand
Benno	Jensen	Saumur
Biberdorf	Just	Savre
Bieloh	Kapaun	Schauss
Billigmeier	Krank	Schimke
Bjornson	Kraus	Seibel
Black	LaBerge	Semerad
Brown	Langford	Shure, Cass
Brusseau	Levin	Shurr, Bottineau
Burgum	Livingston	Solberg
Byrne	McIntee	Sticka
Caddell	Morland	Stray
Dalzell	Morris	Thoreson
Day	Myers	Traynor
Dullea	Niewoehner	Treffry
Fitch	Nelson, Sargent	Trydahl
Frazier	Obach	Tuff
Freitag	O'Brien	Tweten
Frosaker	Odegard	Twichell
Gilberg	Olson, Adams	Urschel
Godwin	Olson, Bowman	White
Goodlaxon	Olson, McLean	Wick
Graham	Olson, Sargent	Williams
Greiser	Page	Wolf
Hagen	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Leum	Sandness
Gessner	Magill	Severson
Holm	Norheim	Symington
Jury	Oglesby	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Johnson	McInnes
Dittmer	Jones	Nelson, Cass
Frey	Knudson, Steele	Thompson
Holthusen	Knutson, LaMoure	

So the resolution was adopted.

Mr. Caddell moved that the vote by which House Concur-

rent Resolution No. 356 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF THE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1925 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Trydahl asked the unanimous consent of the House to amend House Bill No. 271 as follows: In Section 8, line 9, correct the spelling of "license" to read "licensee"; in Section 1 correct "indicate" to read "indicates"; in lines 3 and 4 of Section 15 correct the spelling of the word "appropriates"; correct the spelling of Representatives Burgum's and Schauss' names in the heading; which consent was granted.

Mr. Trydahl moved that the rules be suspended and that House Bill No. 271 be considered properly re-engrossed and placed on 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, 79; nays, 16; absent and not voting, 18.



Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Oglesby
Anderson	Haines	Olson, Bowman
Anfinson	Hofstrand	Olson, McLean
Beasley	Holm	Olson, Sargent
Beggs	Holmquist	Page
Benno	Huseby	Peterson, Renville
Biberdorf	Ireland	Rait
Billigmeier	Jensen	Ritter
Bjornson	Johnson	Saumur
Blair	Jury	Savre
Brown	Knudson, Steele	Schauss
Brusseau	Krank	Seibel
Burgum	Kraus	Semerad
Byrne	LaBerge	Severson
Caddell	Langford	Solberg
Day	Livingston	Thoreson
Dullea	McIntee	Traynor
Fitch	Morland	Trydahl
Frazier	Morris	Twichell
Freitag	Myers	Urschel
Frosaker	Niewoehner	Wendland
Gessner	Nelson, Cass	White
Gilberg	Nelson, Sargent	Wick
Godwin	Norheim	Williams
Goodlaxon	Obach	Wolf
Graham	O'Brien	Mr. Speaker
Greiser		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Olson, Adams	Shure, Cass
Black	Peterson, Bot'neau	Shurr, Bottineau
Dalzell	Peterson, Richland	Sticka
Leum	Pewe	Symington
Magill	Sandness	Tweten
Odegard		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Jones	Sand
Beaton	Just	Schimke
Dittmer	Kapaun	Stray
Frey	Knutson, LaMoure	Thompson
Holthusen	Levin	Treffry
Hultstrand	McInnes	Tuff

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. O'Brien moved that the vote by which House Bill No. 271 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from

Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty 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, 80; nays, 21; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Akland	Hultstrand	Olson, Sargent
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Benno	Johnson	Pewe
Biberdorf	Jury	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Krank	Savre
Blair	Langford	Schimke
Brown	Leum	Seibel
Brusseau	Levin	Semerad
Day	Livingston	Severson
Dullea	Magill	Shure, Cass
Frazier	Morland	Solberg
Freitag	Morris	Sticka
Frosaker	Myers	Traynor
Gessner	Niewoehner	Treffry
Gilberg	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Twichell
Graham	Norheim	Urschel
Greiser	Obach	Wendland
Hagen	Odegard	White
Haines	Oglesby	Wick
Hofstrand	Olson, Adams	Williams
Holm	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Black	LaBerge	Shurr, Bottineau
Byrne	McIntee	Stray
Dalzell	O'Brien	Symington
Fitch	Page	Tuff
Godwin	Rait	Tweten
Just	Ritter	Wolf
Kraus	Schauss	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Dittmer	Knutson, LaMoure
Beggs	Frey	McInnes
Burgum	Holthusen	Thompson
Caddell	Jones	Thoreson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Mr. Holmquist moved that the vote by which House Bill No. 319 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty 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, 77; nays, 22; absent and not voting, 10; passed, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Peterson, Richland
Anderson	Holmquist	Pewe
Anfinson	Hultstrand	Rait
Beasley	Jensen	Ritter
Beggs	Johnson	Sand
Benno	Jury	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	LaBerge	Schauss
Black	Langford	Seibel
Blair	Leum	Semerad
Brown	Levin	Severson
Brusseau	Livingston	Shure, Cass
Burgum	Morland	Shurr, Bottineau
Caddell	Nelson, Cass	Thoreson
Dalzell	Nelson, Sargent	Traynor
Day	Norheim	Treffry
Dullea	Obach	Trydahl
Frazier	Odegard	Twichell
Freitag	Oglesby	Urschel
Frosaker	Olson, Adams	Wendland
Gessner	Olson, McLean	White
Graham	Olson, Sargent	Wick
Hagen	Page	Williams
Haines	Peterson, Bot'neau	Mr. Speaker
Hofstrand	Peterson, Renville	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Olson, Bowman
Biberdorf	Just	Schimke
Byrne	Krank	Solberg
Fitch	Kraus	Sticka
Gilberg	McIntee	Tuff
Godwin	Magill	Twetten
Goodlaxon	Niewoehner	Wolf
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jones	Myers
Dittmer	Knutson, LaMoure	Symington

Messrs. Frey Holthusen	Messrs. McInnes	Messrs. Thompson
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Passed:

Messrs. Greiser Morris	Messrs. O'Brien	Messrs. Stray
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So the bill passed and the title was agreed to.

Mr. Hagen moved that the vote by which House Bill No. 373 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Was read the second time.

Mr. Hagen moved that further consideration of House Bill No. 341 be indefinitely postponed.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Hagen's motion the roll was called and there were ayes, 45; nays, 60; absent and not voting, 8.

Those voting in the affirmative were:

Messrs. Adam Akland Anderson Anfinson Beggs Biberdorf Bieloh Billigmeier Bjornson Brusseau Byrne Caddell Frazier Freitag Godwin	Messrs. Hagen Haines Hofstrand Hultstrand Jensen Krank Livingston McIntee Myers Obach O'Brien Olson, McLean Pewe Rait Ritter	Messrs. Sand Savre Schauss Schimke Seibel Semerad Sticka Thoreson Treffry Tuff Tweten Urschel Williams Wolf Mr. Speaker
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Those voting in the negative were:

Messrs. Beasley Benno Black Blair Brown Burgum Dalzell Day Dullea Fitch	Messrs. Johnson Jury Just Kapaun Knudson, Steele Kraus LaBerge Langford Leum Levin	Messrs. Olson, Bowman Olson, Sargent Page Peterson, Bot'neau Peterson, Renville Peterson, Richland Sandness Saumur Severson Shure, Cass
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Messrs.	Messrs.	Messrs.
Frosaker	Magill	Shurr, Bottineau
Gessner	Morland	Solberg
Gilberg	Morris	Stray
Goodlaxon	Niewoehner	Symington
Graham	Nelson, Cass	Traynor
Greiser	Nelson, Sargent	Trydahl
Holm	Norheim	Twichell
Holmquist	Odegard	Wendland
Huseby	Oglesby	White
Ireland	Olson, Adams	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Holthusen	McInnes
Dittmer	Jones	Thompson
Frey	Knutson, LaMoure	

So the motion was lost.

Mr. White: The gentleman from McKenzie who was fighting this bill takes the attitude: "I have what I came for, to hell with you."

Mr. Twichell moved that House Bill No. 341 be placed on final passage, which motion prevailed.

Mr. Godwin moved that the House recess until 9:00 A. M., tomorrow. A division was called for and the motion lost.

The Speaker resumed the chair.

A call of the House was demanded and granted.

Mr. Godwin moved that further proceedings in connection with the call of the House be dispensed with, which motion prevailed.

The question being on the final passage of the bill, the roll was called and there were ayes, 61; nays, 43; absent and not voting 9.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Oglesby
Beasley	Huseby	Olson, Bowman
Benno	Ireland	Olson, Sargent
Black	Johnson	Page
Blair	Jury	Peterson, Renville
Brown	Just	Peterson, Richland
Burgum	Kapaun	Sandness
Byrne	Knudson, Steele	Saumur
Dalzell	Kraus	Schauss
Day	LaBerge	Severson
Dullea	Langford	Shure, Cass
Frosaker	Leum	Solberg
Gessner	Levin	Stray
Gilberg	Magill	Symington
Godwin	Morland	Traynor

Messrs.	Messrs.	Messrs.
Goodlaxon	Morris	Trydahl
Graham	Niewoehner	Twichell
Greiser	Nelson, Cass	Wendland
Haines	Nelson, Sargent	White
Hofstrand	Norheim	Wick
Holm	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Savre
Anderson	Krank	Schimke
Anfinson	Livingston	Seibel
Beggs	McIntee	Semerad
Biberdorf	Myers	Shurr, Bottineau
Bieloh	Obach	Sticka
Billigmeier	O'Brien	Thoreson
Bjornson	Olson, Adams	Treffry
Brusseau	Olson, McLean	Tuff
Caddell	Peterson, Bot'neau	Tweten
Frazier	Pewe	Urschel
Freitag	Rait	Williams
Hagen	Ritter	Wolf
Hultstrand	Sand	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Frey	Knutson, LaMoure
Dittmer	Holthusen	McInnes
Fitch	Jones	Thompson

So the bill passed and the title was agreed to.

Mr. Godwin: I vote "aye" for the purpose of reconsideration.

#### SEVENTH ORDER OF BUSINESS

HOUSE CONCURRENT RESOLUTION "C-1" Pertaining to the School for the Blind at Bathgate, was read.

Mr. Frazier moved that House Concurrent Resolution "C-1" be adopted.

Mr. Traynor moved that further consideration of House Concurrent Resolution "C-1" be laid on the table, which motion prevailed.

#### FIFTH ORDER OF BUSINESS

Mr. Wolf moved that the report of the majority of the Committee on State Affairs on House Bill No. 376, as found on Page 1286 of the House Journal, be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the House recess until 9:00 A. M., tomorrow.

A roll call was demanded and granted.

## ROLL CALL

The question being on Mr. Twichell's motion, the roll was called and there were ayes, 70; nays, 30; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Olson, McLean
Beaton	Jury	Olson, Sargent
Benno	Just	Page
Biberdorf	Kapaun	Peterson, Bot'neau
Billigmeier	Knudson, Steele	Peterson, Renville
Bjornson	Kraus	Peterson, Richland
Black	LaBerge	Pewe
Blair	Langford	Ritter
Brown	Leum	Sand
Byrne	Livingston	Saumur
Dalzell	McIntee	Severson
Day	Magill	Shure, Cass
Dullea	Morland	Solberg
Fitch	Morris	Sticka
Frazier	Niewoehner	Stray
Frosaker	Nelson, Cass	Symington
Gessner	Nelson, Sargent	Traynor
Gilberg	Norheim	Trydahl
Goodlaxon	Obach	Twichell
Graham	Odegard	Urschel
Holm	Oglesby	Wendland
Holmquist	Olson, Adams	White
Huseby	Olson, Bowman	Wick
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Seibel
Akland	Hofstrand	Semerad
Anderson	Hultstrand	Shurr, Bottineau
Beggs	Jensen	Thoreson
Bieloh	Levin	Treffry
Brusseau	Myers	Tuff
Burgum	O'Brien	Tweten
Freitag	Rait	Williams
Greiser	Sandness	Wolf
Hagen	Schimke	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Holthusen	McInnes
Caddell	Jones	Savre
Dittmer	Knutson, LaMoure	Schauss
Frey	Krank	Thompson
Godwin		

So the motion prevailed and the House recessed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

F. C. Foley, Grand Forks; Mrs. Ernest Schneider, Jacob Goehner, Ernest Schneider, Marie Goehner, Dave Ramsey, Bismarck; Tov Brandburg, Portland, Dick Engbeck, Fessenden; Fred Butz, Jr., Harvey; E. D. Lum, Wahpeton; Mrs. J. H. Langford, Cooperstown; A. Isaakson, W. J. Kubberness, Wimbledon; O. J. Graven, Bismarck; Orville Hagen, Arnegard; Mr. Ytreeide, Parshall; Roy Peterson, Watford City; W. H. Bettenhausen, Wishek; Anton Prebel, Frank Kostelecky, Henry Kostelecky, Frank Simirud, Dickinson; W. J. Wunn, Rolla; A. J. Wunn, Forman; Mr. Honey, John Mrlrten, Dickinson.

MINNIE D. CRAIG,  
Chief Clerk



FIFTIETH DAY AFTER RECESS AND  
FIFTY-FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

The House convened at 9:00 A. M., pursuant to recess, Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House reconsider the vote by which House Bill No. 315 was declared lost, which motion prevailed.

Mr. Schauss moved that the House notify the Senate that the House will accept no bills after 2:00 P. M., which motion prevailed.

Mr. Fitch moved that House Bill No. 315 be placed on the calendar, which motion was lost.

GENERAL ORDERS

Mr. Levin moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Levin to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Pre-

scribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Such Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

On original bill, page 1, Section 25, line 5, after the word "board" insert the following: "In Co-operation with the State Welfare Board."

In line 8 in the same section, after the word "work," insert the following: "and employ an executive secretary who shall be approved by the State Welfare Board".

And the further amendments:

Amend the committee report by inserting the words "and paid" after the word "approved" in the third line of the second committee amendment.

And when so amended recommend the same do pass.

PALMER LEVIN,  
Chairman.

Mr. Brusseau moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

And find the same correctly engrossed.

L. S. BURGUM,  
Vice Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SECOND READING OF HOUSE BILLS

Mr. Caddell moved that House Bill No. 292 be placed at the head of the calendar, which motion prevailed.

A call of the House was demanded.

Mr. Caddell moved that further proceedings in connection with the call of the House be dispensed with, which motion prevailed.

Mr. Caddell moved that the rules be suspended and that House Bill No. 292 be placed on second reading and final passage, as amended, which motion prevailed.

Mr. Caddell asked the unanimous consent of the House to amend House Bill No. 292 as follows: In line 8 of Section 2 strike out the words "in length", which consent was granted.

Mr. Caddell moved that the rules be suspended and that House Bill No. 292 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

Mr. Twichell moved the previous question, 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, 102; nays, 0; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Akland	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jury	Sandness
Biberdorf	Just	Saumur
Bieloh	Kapaun	Savre
Billigmeier	Knudson, Steele	Schauss
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Dullea	Morland	Symington
Frazier	Morris	Thoreson
Freitag	Myers	Traynor

Messrs.	Messrs.	Messrs.
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Tuff
Gilberg	Nelson, Sargent	Twetén
Godwin	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Sand
Dittmer	Kraus	Thompson
Fitch	McInnes	Trydahl
Frey	O'Brien	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin: Whereas this is the last day on which bills may be messaged to the Senate, I withdraw my motion to reconsider House Bill No. 341.

Mr. Traynor moved that the vote by which House Bill No. 341 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

And find the same properly engrossed.

L. R. BURGUM,  
Vice Chairman.

Mr. Peterson of Renville 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice Chairman.

Mr. Solberg moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Burgum moved that the rules be suspended and that House Bill No. 168 be placed on Second Reading and Final Passage.

Mr. Wolf moved the previous question, which motion prevailed.

The question being on Mr. Burgum's motion, the motion prevailed.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of 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, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Johnson	Ritter
Beggs	Jury	Sand
Benno	Just	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Knudson, Steele	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Byrne	McIntee	Solberg
Caddell	Magill	Sticka
Dalzell	Morland	Stray
Day	Morris	Symington
Dullea	Myers	Thoreson
Fitch	Niewoehner	Traynor
Frazier	Nelson, Cass	Treffry
Freitag	Nelson, Sargent	Trydahl
Frey	Norheim	Tuff
Frosaker	Obach	Tweten
Gessner	O'Brien	Twichell
Gilberg	Odegard	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Wolf
Holm	Page	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Jones	McInnes
Godwin	Kraus	Thompson
Goodlaxon		

So the bill passed and the title was agreed to.

Mr. Greiser moved that the vote by which House Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of State Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Also,

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, as Amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Further Amended by the Initi-

ated Measure Passed June 29, 1932, by the People of the State of North Dakota, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 308. A Bill for an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to Be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons, and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforcible or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 280. A Bill for an Act Amending Subdivision U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.



## MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Aforesaid, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty Therefor.

Also,

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supple-

ment to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Also,

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to the Provisions of This Act.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Chil-

dren, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION NO. 356.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization

of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of State Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Also:

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tu-

ition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Beggs moved that the rules be suspended and that House Bill No. 346 be placed on Second Reading and Final Passage.

A roll call was demanded and denied.

A division was called for, and Mr. Beggs' motion prevailed.

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Was read the second time.

Mr. Byrne 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, 78; nays, 28; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Richland
Akland	Hultstrand	Pewe
Anderson	Huseby	Rait
Anfinson	Ireland	Ritter
Beasley	Jensen	Sand
Beggs	Just	Sandness
Biberdorf	Kapaun	Savre
Bieloh	Knutson, LaMoure	Schauss
Billigmeier	Krank	Schimke
Bjornson	LaBerge	Seibel
Black	Langford	Semerad
Brusseau	Levin	Severson
Burgum	Livingston	Shurr, Bottineau

Messrs.	Messrs.	Messrs.
Byrne	McIntee	Solberg
Caddell	Morland	Sticka
Day	Morris	Stray
Frazier	Niewoehner	Thoreson
Freitag	Nelson, Cass	Traynor
Frey	Obach	Treffry
Godwin	O'Brien	Tuff
Goodlaxon	Odegard	Tweten
Graham	Olson, Adams	Urschel
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Williams
Haines	Peterson, Bot'neau	Wolf
Hofstrand	Peterson, Renville	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Johnson	Olson, Sargent
Blair	Jury	Page
Brown	Knudson, Steele	Saumur
Dalzell	Kraus	Shure, Cass
Fitch	Leum	Symington
Frosaker	Magill	Trydahl
Gessner	Nelson, Sargent	Twichell
Gilberg	Norheim	Wendland
Holm	Oglesby	Wick
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jones	Myers
Dittmer	McInnes	Thompson
Dullea		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Traynor: I vote "aye" for the purpose of reconsideration.

Mr. Dalzell: I vote "no" on this bill because of the provisions in Section 17.

Mr. Magill: I don't want to vote for any bill the terms of which are vague and on which I have not sufficient information, and also on which I am not sure what really is the bill. I vote "no."

Mr. Wolf moved that the rules be suspended and that House Bill No. 350 be placed on Second Reading and Final Passage.

A division was called for and the motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin: I move that on this, the last day on which we may message bills to the Senate, we suspend the rules and do

not serve notice of reconsideration on any of the bills on the calendar.

Which motion prevailed.

House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; 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, 76; nays, 24; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Richland
Akland	Holthusen	Pewe
Anderson	Hultstrand	Rait
Anfinson	Ireland	Ritter
Beggs	Jensen	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	LaBerge	Seibel
Brown	Levin	Semerad
Brusseau	Livingston	Shurr, Bottineau
Burgum	McIntee	Solberg
Byrne	Morland	Sticka
Caddell	Morris	Stray
Day	Niewoehner	Thoreson
Dullea	Nelson, Cass	Treffry
Frazier	Obach	Tuff
Freitag	O'Brien	Tweten
Godwin	Odegard	Urschel
Goodlaxon	Olson, Adams	White
Graham	Olson, Bowman	Wick
Greiser	Olson, McLean	Williams
Hagen	Peterson, Bot'neau	Wolf
Haines	Peterson, Renville	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Jury	Page
Blair	Kraus	Saumur
Fitch	Langford	Severson
Gessner	Magill	Shure, Cass
Gilberg	Nelson, Sargent	Symington
Holm	Norheim	Traynor
Huseby	Oglesby	Trydahl
Johnson	Olson, Sargent	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Frosaker	McInnes
Beaton	Jones	Myers
Dalzell	Knudson, Steele	Thompson
Dittmer	Leum	Wendland
Frey		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 364. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrapper, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice-Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and



Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Dittmer 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

Also,

HOUSE CONCURRENT RESOLUTION "A-1", Relating to Production of Alcohol for Blending Purposes.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Also,

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Such Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Twichell moved that the rules be suspended and that House Bill No. 377 be placed on Second Reading and Final Passage, which motion prevailed.

House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, 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, 94; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Page
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Just	Ritter
Bieloh	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Saumur
Black	Krank	Savre
Blair	Kraus	Schauss
Brusseau	LaBerge	Schimke
Burgum	Langford	Seibel
Byrne	Leum	Semerad
Dalzell	Levin	Severson
Day	Livingston	Shure, Cass
Dullea	McIntee	Solberg
Frazier	Magill	Sticka
Freitag	Morland	Stray
Frey	Myers	Symington
Gessner	Niewoehner	Thoreson
Gilberg	Nelson, Cass	Traynor
Godwin	Nelson, Sargent	Treffry
Goodlaxon	Norheim	Trydahl
Graham	Obach	Tweten
Greiser	O'Brien	Twichell
Hagen	Odegard	Urschel
Haines	Olson, Adams	Wendland
Hofstrand	Olson, Bowman	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Wolf
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Caddell	Shurr, Bottineau
Beasley	Jury	Tuff

Messrs.	Messrs.	Messrs.
Beaton	Morris	Williams
Brown	Peterson, Renville	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	Jones	Oglesby
Fitch	McInnes	Thompson
Frosaker		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Twichell moved that the vote by which House Bill No. 377 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 306 be placed on Second Reading and Final Passage, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider the action by which House Bill No. 271 passed.

Which motion prevailed.

Mr. Godwin moved that the Senate be asked to return House Bill No. 271.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to request the return of:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Ses-

sion Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

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, 85; nays, 24; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Anderson	Hofstrand	Page
Anfinson	Holm	Rait
Beasley	Holmquist	Ritter
Beaton	Huseby	Sand
Beggs	Ireland	Sandness
Benno	Johnson	Saumur
Biberdorf	Jury	Savre
Billigmeier	Just	Schauss
Bjornson	Knudson, Steele	Schimke
Blair	Krank	Seibel
Brown	Kraus	Shure, Cass
Burgum	LaBerge	Solberg
Byrne	Langford	Sticka
Caddell	Leum	Stray
Dalzell	Levin	Symington
Day	Livingston	Thoreson
Dullea	McIntee	Traynor
Fitch	Morland	Trydahl
Frazier	Morris	Tweten
Freitag	Myers	Twichell
Frey	Niewoehner	Urschel
Gessner	Nelson, Sargent	Wendland
Gilberg	Norheim	White
Godwin	Obach	Wick
Goodlaxon	O'Brien	Williams
Graham	Olson, Bowman	Wolf
Greiser	Olson, McLean	Mr. Speaker
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Kapaun	Peterson, Renville
Bieloh	Knutson, LaMoure	Peterson, Richland
Black	Magill	Pewe
Brusseau	Nelson, Cass	Semerad
Holthusen	Odegard	Severson
Hultstrand	Oglesby	Shurr, Bottineau
Jensen	Olson, Adams	Treffry
Jones	Peterson, Bot'neau	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dittmer	McInnes	Thompson
Frosaker		

So the bill passed and the title was agreed to.

Mr. Wolf moved that the rules be suspended and that House Bill No. 303 be placed on second reading and final passage, which motion prevailed.

Mr. Olson of Bowman moved that the rules be suspended and that House Bill No. 303 be placed on second reading and final passage, which motion prevailed.

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, as Amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Further Amended by the Initiated Measure Passed June 29, 1932, by the People of the State of North Dakota, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of 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, 85; nays, 17; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Ireland	Peterson, Richland
Anderson	Jensen	Pewe
Anfinson	Johnson	Rait
Beasley	Jones	Ritter
Beaton	Jury	Sand
Beggs	Just	Sandness
Biberdorf	Kapaun	Savre
Bieloh	Knudson, Steele	Schauss
Billigmeier	Knutson, LaMoure	Seibel
Bjornson	Krank	Semerad
Black	Kraus	Severson
Brown	Langford	Shure, Cass
Brusseau	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McIntee	Sticka
Dalzell	Magill	Symington
Dullea	Morland	Thoreson
Frazier	Myers	Treffry
Freitag	Niewoehner	Trydahl
Frey	Nelson, Cass	Tuff

Messrs.	Messrs.	Messrs.
Gessner	Nelson, Sargent	Tweten
Godwin	Obach	Urschel
Goodlaxon	O'Brien	White
Graham	Odegard	Wick
Greiser	Olson, Bowman	Wolf
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benn	Leum	Peterson, Renville
Blair	Morris	Saumur
Day	Norheim	Traynor
Gilberg	Oglesby	Twichell
Holm	Olson, Adams	Wendland
Holmquist	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Hagen	Schimke
Dittmer	Huseby	Stray
Fitch	LaBerge	Thompson
Frosaker	McInnes	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

House Bill No. 308. A Bill for an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to Be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons, 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, 64; nays, 43; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Page
Akland	Jones	Peterson, Bot'neau
Beasley	Just	Peterson, Renville
Beggs	Kapaun	Peterson, Richland
Biberdorf	Knutson, LaMoure	Rait
Bieloh	Krank	Ritter
Billigmeier	Langford	Sandness
Black	Levin	Saumur
Brown	McIntee	Savre
Brusseau	Morland	Schimke
Dalzell	Myers	Semerad

Messrs.	Messrs.	Messrs.
Fitch	Niewoehner	Shurr, Bottineau
Freitag	Nelson, Cass	Solberg
Frey	Nelson, Sargent	Sticka
Gessner	Norheim	Symington
Gilberg	Obach	Treffry
Goodlaxon	Odegard	Trydahl
Graham	Olson, Adams	Tuff
Greiser	Olson, Bowman	Wendland
Holthusen	Olson, McLean	Wick
Hultstrand	Olson, Sargent	Williams
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Hofstrand	Pewe
Anfinson	Holm	Sand
Beaton	Holmquist	Schauss
Benno	Huseby	Seibel
Bjornson	Jensen	Severson
Burgum	Jury	Shure, Cass
Byrne	Knudson, Steele	Stray
Caddell	Kraus	Thoreson
Day	Leum	Traynor
Dullea	Livingston	Tweten
Frazier	Magill	Urschel
Frosaker	Morris	White
Godwin	O'Brien	Wolf
Hagen	Oglesby	Mr. Speaker
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	LaBerge	Thompson
Dittmer	McInnes	Twichell

So the bill passed, the title was agreed to, and the emergency clause was declared lost.

Mr. Odegard moved that the vote by which House Bill No. 308 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### EXPLANATIONS OF VOTE

Mr. Beaton: If this bill is passed it will defeat the very purposes for which the sales tax was enacted. I vote "no."

Mr. Frazier: I would like to vote "yes" on a Replacement Tax Law, but I can't so vote on this bill for the reason the poor and needy families cannot afford the cost price of a Sales Tax Book at one time. Further because it is just an effort to destroy the schools of our State by making everyone angry when paying into the equalization fund from which our schools must be supported. Therefore, I vote "no" on this bill.

Mr. Godwin: I vote "no" on this bill and I want to explain that I can only vote for a sales tax on the proposition that it was to meet the situation such as we are now facing. However, 308 would destroy the purpose for which the sales tax can be justified, the particular result of which would be to destroy the orderly conduct of government in North Dakota, therefore, Mr. Speaker, I vote "no."

Mr. Greiser: I vote "aye" on this bill because I do not want to go home with a broken promise.

Mr. Holm. The sales tax law was placed on our statute books as an emergency measure. That emergency still exists. If you pass this law now, it will close most of our schools, and people needy for relief will go hungry. Therefore I vote "no."

Mr. Holmquist: I vote "no" on this bill for the reason that it is inconvenient to many to go to the county seat for this coupon book.

Mr. Huseby: I vote "no" on this bill because I am against the bill. For that reason I vote "no."

Mr. Hagen: I vote "no" on this bill because the bill is poorly drawn and is very impractical at this time.

Mr. Knutson of LaMoure: Because I ran on a platform of a replacement tax on the sales tax, I vote "aye."

Mr. Magill: Because I think the principle is good, but under present circumstances I think it is absolutely necessary to vote "no."

Mr. Niewoehner: I vote "aye" on this bill because there exists a great inequality as between people who pay a large amount of property taxes and those who do not. This inequality should be rectified in some other way.

Mr. Olson of Bowman: I vote "aye" on this bill because it is a part of the Nonpartisan League platform and because the Governor recommended it as a replacement tax in his message to the legislature.

Mr. Pewe: I am voting "no" on this bill because many times in the past I have found it hard enough to buy the necessities of life without going to the expense of buying coupon books.

Mr. Thoreson: I vote no because if this bill passes the provisions of 168 cannot be carried into effect.

Mr. White: This bill is absolutely not workable and would create a financial condition in our county. The bill is very poorly drawn. I vote "no."

Mr. Wick: I vote "yes" on this bill to be in line with the promises made with the Nonpartisan League and if I am in the minority I want to stick with what I promised to do.

Mr. Williams: I vote "aye" on this bill because this is one of the major planks in the good old Nonpartisan League, therefore, I vote "aye."



Mr. Tweten: I vote "no" on House Bill No. 308 because it includes real estate and personal taxes and will be impossible to finance relief and schools.

Mr. Kapaun: I vote "aye" on this bill because if this bill passes it will eventually destroy the sales tax, a tax that is imposed upon and paid by the people that are least able to pay. I vote "aye."

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

In accordance with the request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider the action by which House Bill No. 271 was passed.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 271 be placed on the calendar.

Which motion prevailed.

Mr. Godwin asked unanimous consent to amend House Bill No. 271 as follows:

Strike out the words and figures fifty (50c) wherever it appears in the bill and insert in lieu thereof the words and figures twenty-five (25c).

Which consent was granted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 271 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability

of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other 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, 97; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Anderson	Holmquist	Peterson, Renville
Anfinson	Holthusen	Peterson, Richland
Beasley	Hultstrand	Rait
Beaton	Huseby	Ritter
Beggs	Ireland	Sand
Benno	Johnson	Sandness
Biberdorf	Jones	Saumur
Billigmeier	Jury	Savre
Bjornson	Kapaun	Schauss
Brown	Knudson, Steele	Schimke
Brusseau	Knutson, LaMoure	Seibel
Burgum	Kraus	Semerad
Byrne	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	Levin	Solberg
Day	Livingston	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Freitag	Myers	Trydahl
Frey	Niewoehner	Tuff
Frosaker	Nelson, Cass	Tweten
Gessner	Nelson, Sargent	Twichell
Gilberg	Norheim	Urschel
Godwin	Obach	Wendland
Goodlaxon	O'Brien	White
Graham	Oglesby	Wick
Greiser	Olson, Bowman	Williams
Hagen	Olson, McLean	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Just	Peterson, Bot'neau
Black	Odegard	Pewe
Blair	Page	Treffry
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	LaBerge	Shurr, Bottineau
Krank	McInnes	Thompson

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Twichell moved that the rules be suspended and that House Bill No. 360 be placed on second reading and final passage, which motion prevailed.

Mr. Twichell asked the unanimous consent of the House to amend House Bill No. 360 as follows: In line 46 of the printed bill, page 3, after the word "by", and before the word "county", insert the words "the state"; in line 47, after the word "of" and before the word "such" insert the word "state", which consent was granted.

Mr. Twichell moved that the rules be suspended and that House Bill No. 360 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This 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, 88; nays, 18; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Odegard
Akland	Hagen	Oglesby
Anderson	Haines	Olson, Adams
Anfinson	Hofstrand	Olson, Bowman
Beasley	Holm	Olson, McLean
Beaton	Holmquist	Olson, Sargent
Beggs	Holthusen	Peterson, Bot'neau
Benno	Hultstrand	Peterson, Renville
Biberdorf	Huseby	Peterson, Richland
Billigmeier	Johnson	Rait
Bjornson	Jones	Sand
Black	Jury	Sandness
Blair	Knudson, Steele	Savre

Messrs.	Messrs.	Messrs.
Brown	Knutson, LaMoure	Schimke
Brusseau	Krank	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Sticka
Day	McIntee	Stray
Dullea	Magill	Thoreson
Fitch	Morland	Traynor
Frazier	Morris	Tuff
Freitag	Myers	Tweten
Frey	Niewoehner	Urschel
Frosaker	Nelson, Sargent	Wendland
Gilberg	Norheim	White
Godwin	Obach	Williams
Goodlaxon	O'Brien	Wolf
Graham		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Nelson, Cass	Solberg
Dittmer	Page	Symington
Ireland	Pewe	Treffry
Jensen	Ritter	Trydahl
Just	Saumur	Twichell
Kapaun	Seibel	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gessner	McInnes	Thompson
Kraus	Schauss	Mr. Speaker
LaBerge		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Also,

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Also,

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Also,

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; Providing for the Repeal of Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and All Other Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H

Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913, and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 183. A Bill for an Act to Authorize and Empower the Public Welfare Board to Borrow Money from the Bank of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Providing for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Providing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Also,

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the

Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Also,

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 2, 3 and 8 of Chapter 135, of the Session Laws of 1935, Relating to the Election of Presidential Electors, Precinct Committeemen; Delegates to National Conventions, National Committeemen and Committeewomen; for organization of County and State Committees, of Political Parties.

Also,

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Also,

Senate Bill No. 255. A Bill for an Act Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 308. A Bill for an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to Be Accepted as Cash in Payment of Real and

**Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons, and Declaring an Emergency.**

Also,

**House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; and Declaring an Emergency.**

Also,

**House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Declaring an Emergency.**

Also,

**House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.**

Also,

**House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, as Amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Further Amended by the Initiated Measure Passed June 29, 1932, by the People of the State of North Dakota, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.**

Also,

**House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Declaring an Emergency.**

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



Mr. Burgum moved that the vote by which House Bill No. 346 was passed be reconsidered, which motion prevailed.

Mr. Twichell moved to amend House Bill No. 346 by striking out the emergency clause, which motion prevailed.

Mr. Twichell moved that the rules be suspended and that House Bill No. 346 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders 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, 85; nays, 24; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Jones	Ritter
Beggs	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	LaBerge	Semerad
Brusseau	Langford	Seibel
Burgum	Levin	Severson
Byrne	Livingston	Shurr, Bottineau
Caddeli	McIntee	Solberg
Day	Magill	Sticka
Dullea	Morland	Stray
Frazier	Morris	Thoreson
Freitag	Myers	Treffry
Frey	Niewoehner	Tuff
Godwin	Nelson, Cass	Tweten
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Greiser	Odegard	White

Messrs.	Messrs.	Messrs.
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Holthusen	Olson, Sargent
Blair	Johnson	Page
Brown	Jury	Saumur
Dalzell	Kraus	Shure, Cass
Dittmer	Leum	Symington
Fitch	Nelson, Sargent	Traynor
Frosaker	Norheim	Trydahl
Gilberg	Oglesby	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gessner	Thompson	Mr. Speaker
McInnes		

So the bill passed and the title was agreed to.

Mr. Traynor withdrew his notice of reconsideration on House Bill No. 346.

The Speaker called Mr. Wolf to the chair.

Mr. Beggs moved that the rules be suspended and that House Bill No. 364 be placed on second reading and final passage, which motion prevailed.

Mr. Trydahl asked unanimous consent of the House to amend House Bill No. 364 by correcting of the word "counterfeited" in Section 6, which consent was granted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 364 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 364. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrapper, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy; Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of 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, 85; nays, 15; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Peterson, Renville
Akland	Hofstrand	Peterson, Richland
Anderson	Holm	Pewe
Anfinson	Holmquist	Rait
Beaton	Hultstrand	Sand
Beggs	Huseby	Sandness
Benno	Ireland	Savre
Biberdorf	Jensen	Semerad
Bieloh	Jones	Schauss
Billigmeier	Knudson, Steele	Schimke
Bjornson	Knutson, LaMoure	Seibel
Black	Krank	Severson
Brown	LaBerge	Shure, Cass
Brusseau	Langford	Shurr, Bottineau
Burgum	Leum	Solberg
Caddell	Livingston	Sticka
Dalzell	McIntee	Stray
Dittmer	Magill	Symington
Dullea	Morland	Thoreson
Frazier	Myers	Treffry
Freitag	Niewoehner	Tuff
Frey	Nelson, Sargent	Tweten
Frosaker	Obach	Twichell
Gessner	O'Brien	Urschel
Gilberg	Oglesby	White
Godwin	Olson, Adams	Wick
Graham	Olson, McLean	Williams
Greiser	Olson, Sargent	Wolf
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Kapaun	Page
Fitch	Kraus	Ritter
Johnson	Morris	Trydahl
Jury	Norheim	Wendland
Just	Odegard	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Levin	Peterson, Bot'neau
Byrne	McInnes	Saumur
Day	Nelson, Cass	Thompson
Goodlaxon	Olson, Bowman	Traynor
Holthusen		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Page moved that the rules be suspended and that House Bill No. 280 be placed on second reading and final passage, which motion prevailed.

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; 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, 98; nays, 3; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Peterson, Bot'neau
Akland	Johnson	Peterson, Renville
Anfinson	Jones	Peterson, Richland
Beggs	Jury	Pewe
Benno	Just	Rait
Biberdorf	Kapaun	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Blair	LaBerge	Seibel
Brown	Langford	Semerad
Brusseau	Leum	Severson
Caddell	Levin	Shure, Cass
Dalzell	Livingston	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Graham	O'Brien	Twichell
Haines	Odegard	Urschel
Hofstrand	Oglesby	Wendland
Holm	Olson, Adams	Wick
Holmquist	Olson, Bowman	Williams
Hultstrand	Olson, McLean	Wolf
Huseby	Olson, Sargent	Mr. Speaker
Ireland	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Greiser	Hagen

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Frosaker	Ritter
Beaton	Goodlaxon	Saumur
Burgum	Holthusen	Thompson
Byrne	McInnes	White

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Page moved that the vote by which House Bill No. 280 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 349 be placed on second reading and final passage, which motion prevailed.

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

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, 63; nays, 39; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Olson, Bowman
Anfinson	Haines	Olson, McLean
Beggs	Hofstrand	Page
Benno	Holmquist	Peterson, Renville
Biberdorf	Hultstrand	Pewe
Bieloh	Ireland	Sandness
Billigmeier	Jensen	Schauss
Bjornson	Jury	Seibel
Brusseau	Just	Semerad
Burgum	Knutson, LaMoure	Shurr, Bottineau
Byrne	Krank	Solberg
Caddell	Kraus	Sticka
Day	LaBerge	Stray
Dullea	Leum	Thoreson
Fitch	Levin	Treffry
Frazier	Livingston	Tuff
Freitag	Morris	Tweten
Frey	Myers	Urschel
Godwin	Niewoehner	Williams
Goodlaxon	Obach	Wolf
Greiser	O'Brien	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Rait
Black	Knudson, Steele	Ritter
Blair	Langford	Sand
Brown	McIntee	Savre
Dalzell	Magill	Schimke
Dittmer	Morland	Severson

Messrs.	Messrs.	Messrs.
Gessner	Nelson, Cass	Shure, Cass
Gilberg	Nelson, Sargent	Symington
Graham	Odegard	Traynor
Holm	Oglesby	Trydahl
Huseby	Olson, Sargent	Twichell
Johnson	Peterson, Bot'neau	Wendland
Jones	Peterson, Richland	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Saumur
Akland	McInnes	Thompson
Beaton	Norheim	White
Frosaker	Olson, Adams	

So the bill passed and the title was agreed to.

Mr. Godwin moved that the vote by which House Bill No 349 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIFTH ORDER OF BUSINESS

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Schauss moved that the rules be suspended and that House Bill No. 378 be placed on second reading and final passage.

A division was called for and the motion was lost.

Mr. Twichell moved that further consideration of House Bill No. 378 be indefinitely postponed, which motion prevailed.

Mr. Twichell moved that the vote by which House Bill No. 378 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Kapaun moved that House Concurrent Resolution "A-1" be tabled. A division was called for and the motion was lost.

Mr. Shurr of Bottineau moved that House Concurrent Resolution "A-1" be adopted, which motion prevailed and the Resolution was adopted.

Mr. Seibel moved that the rules be suspended and that House Bill No. 376 be placed on second reading and final passage.

Mr. Freitag moved the previous question, which motion prevailed.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Seibel's motion, the roll was called and there were ayes, 61; nays, 42; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Savre
Akland	Ireland	Schauss
Anderson	Jensen	Schimke
Anfinson	Jones	Seibel

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Knutson, LaMoure	Semerad
Beggs	Levin	Severson
Billigmeier	Livingston	Solberg
Bjornson	McIntee	Sticka
Brown	Morland	Symington
Brusseau	Myers	Thoreson
Caddell	Obach	Treffry
Dittmer	Odegard	Tuff
Frazier	Olson, Adams	Tweten
Freitag	Olson, McLean	Urschel
Frey	Page	Wendland
Godwin	Peterson, Bot'neau	White
Greiser	Peterson, Richland	Wick
Hagen	Pewe	Williams
Haines	Ritter	Wolf
Hofstrand	Sand	Mr. Speaker
Holmquist		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Graham	Morris
Benno	Holm	Nelson, Cass
Black	Holthusen	Nelson, Sargent
Blair	Huseby	Oglesby
Burgum	Johnson	Olson, Bowman
Byrne	Jury	Olson, Sargent
Dalzell	Just	Peterson, Renville
Day	Kapaun	Sandness
Dullea	Knudson, Steele	Saumur
Fitch	Kraus	Shure, Cass
Frosaker	LaBerge	Stray
Gessner	Langford	Traynor
Gilberg	Leum	Trydahl
Goodlaxon	Magill	Twichell

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Niewoehner	Rait
Bieloh	Norheim	Shurr, Bottineau
Krank	O'Brien	Thompson
McInnes		

So the motion was lost.

### SEVENTH ORDER OF BUSINESS

Mr. Ritter moved that House Bill No. 315 be placed on the calendar.

A division was called for, and the motion was lost.

### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to transmit herewith the following bills:



House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors.

Also,

House Bill No. 364. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrapper, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Also,

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

Also:

HOUSE CONCURRENT RESOLUTION "A-1".

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

For the reason that the same failed to receive a two-thirds vote of the House members elect on its final passage.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Schauss moved that House Bill No. 247 be returned to the Senate with instructions that the bill was amended two years ago and it does not take a two-thirds vote to pass the bill. The motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

It being the contention of the House that the bill has passed as the law had already been amended in the 1935 session.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House adjourn, to reconvene at 3:30 P. M., which motion prevailed and the House adjourned.

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#### FIFTY-FIRST DAY

House of Representatives,  
Bismarck, North Dakota,  
February 24, 1937.

The House assembled at 3:30 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. A. R. Henry of Mandan.

The roll was called and all members were present except Representatives Beggs, Byrne, Godwin, Goodlaxon, Jensen, McInnes, Thompson and Traynor.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 49th day after recess and 50th day and recommend that the same be corrected as follows: Insert on page 995 of the Journal for February 17 the following: "Report of Standing Committee. The Committee on Enrollment and Engrossment respectfully reports that: House Bill No. 17, House Bill No. 57, were delivered to the Governor for his approval at the hour of 2:40 o'clock P. M., February 17, 1937. Herman Just, Jr."

Page 1359, Roll Call—House Bill 269—Leum is shown absent whereas he was present and voted "Aye".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

HOUSE RESOLUTION "K".

Also,

HOUSE RESOLUTION "L".

Were delivered to the Secretary of State for his approval at the hour of 3:40 o'clock P. M., February 24th, 1937.

L. R. BURGUM,  
Vice Chairman.

## PETITIONS AND COMMUNICATIONS

Petition signed by ninety-three residents of Rugby, urging the defeat of Senate Bill No. 13.

Petition from eighty signers from Park River, urging defeat of Senate Bill No. 13.

Petition signed by thirty-four residents of Traill County, urging defeat of House Bill No. 216.

Petition signed by Floyd Sax and one hundred and twenty-five others from Devils Lake, urging the defeat of Senate Bill No. 13.

A communication from the North Dakota Industrial Commission was read.

Mr. Frazier moved that the communication be printed in the Journal, which motion prevailed.

Bismarck, North Dakota,  
February 23, 1937.

Honorable House of Representatives,

25th Legislative Assembly,

Bismarck, North Dakota.

In further obedience to House Resolution "E", I submit herewith the further information in compliance with that resolution. I obtained this information from Mr. F. F. Burchard, Certified Public Accountant, who is now making an audit of the State Mill and Elevator.

Part of the information sought was relative to what monies had been paid out for legal expense and advertising since the mill started. Due to the fact that all these records are stored in the mill basement, and due to the further fact that the expense of accumulating all this information would be exorbitant, I believe that the desired ends can be accomplished by giving you this information beginning with the year 1930.

LEGAL EXPENSES BY YEARS  
STATE MILL AND ELEVATOR ASSOCIATION

Jan. 13 to Dec. 31, 1930.....	\$ 2,393.30	(Amt. in Ledger)
Jan. 9 to Dec. 31, 1931.....	2,218.90	" " "
Jan. 1 to Dec. 31, 1932.....	2,212.82	" " "
Jan. 1 to Dec. 31, 1933.....	4,690.35	" " "
Jan. 1 to Dec. 31, 1934.....	15,148.69	" " "
Jan. 1 to Dec. 31, 1935.....		

Amount in Ledger,....\$2,893.45

(10-18-35-Check to R.

N. Davies charged to

Acct. No. 497 (Misc.

Exp.) ..... 400.00

TOTAL FOR 1935..... 3,293.45

Jan. 1 to Dec. 31, 1936..... 6,786.29 (Amt. in Ledger)

Not in Ledger as Legals for 1936:

Jan. 25, 1936, Voucher No. 14325	H. Young	\$1,000.00
Mar. 26, 1936, Voucher No. 15580	H. Young	2,000.00
May 20, 1936, Voucher No. 16739	H. Young	3,199.45
Feb. 29, 1936	T. H. H. Thoresen	29.77
May 29, 1936	T. H. H. Thoresen	266.53
Jan. 30, 1936	T. H. H. Thoresen	500.00
Apr. 30, 1936	P. O. Sathre	136.72
Oct. 3, 1936	P. O. Sathre	50.00
July 16, 1936	P. O. Sathre	50.00
June 30, 1936	W. E. Matthaei	250.00
Feb. 24, 1936	W. E. Matthaei	250.00
June 30, 1936	Fred Graham	548.49

ADVERTISING DISBURSEMENTS BY YEARS  
STATE MILL AND ELEVATOR ASSOCIATION

1930 .....	\$17,173.38
1931 .....	11,800.09
1932 .....	6,511.99
1933 .....	11,567.26
1934 .....	23,201.13
1935 .....	17,560.43
1936 .....	53,954.55

Respectfully submitted,

N. D. INDUSTRIAL COMMISSION,

By James Mulloy, Secy.

(Copy of letter received from F. E. Burchard):

Grand Forks, N. D.,

February 12, 1937.

Mr. James Mulloy,

Secretary Industrial Commission,

Bismarck, North Dakota.

Dear Mr. Mulloy:

Enclosed is a statement covering legal expenses from January, 1930 up to date. These are in gross amounts only and the detail statement will be furnished you later. I am very sorry that it has taken so long to get this information but we had great difficulty in finding the records. I am not at

all sure but what a further search may disclose some more legals for 1936 hidden away in other accounts. You will note there is some \$8,000 which apparently was paid to attorneys but it is charged direct to General Expenses or Processing Tax expense.

Also enclosed is a statement of the Advertising for certain years as per your request. For your information we will have a little later a detailed list of each of these years.

Yours sincerely,

STATE MILL & ELEVATOR,  
F. F. Burchard.

FFB:mlh

Mr. Godwin moved that the rear corridor be cleared and the visitors be requested to go to the balcony.

Which motion prevailed.

Mr. Frazier moved that the Speaker appoint the Sergeant-at-Arms to bring the President and Secretary of the Tax-payers Association before the House to present a report in accordance with the Resolution passed by the House.

Mr. Twichell offered as a substitute motion that further consideration of the Resolution in question be indefinitely postponed. A division was called for and the motion prevailed.

Mr. Twichell moved that the Resolution be laid on the table, which motion prevailed.

The Speaker called Mr. Wolf to the chair.

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 3 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 4 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau" strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, page 2, Section 3, line 4 after the word "Act", strike out the entire Senate amendment "or to such other agency as may be designated by law". Also strike out the "comma" preceding the amendment.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.



Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 3 after the word "Act", strike out the "Comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 6, strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 4 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 5 after the word "Act", strike out the "comma" and on line 6, strike out the Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Ritter moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, page 1, Section 1, line 3 which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$62,883.10" and insert in lieu thereof the figures "\$77,883.10".

In the engrossed bill, Under Operating Expense, item 15 which is page 2, line 30 of the printed bill, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$19,000.00".

In the engrossed bill, page 2, line 8, Total Maintenance which is page 2, line 34 of the printed bill, strike out the

figures "\$72,143.10" and insert in lieu thereof the figures "87,143.10".

In the engrossed bill, page 2, line 10 which is page 3, line 37 of the printed bill, strike out the figures "\$58,143.10" and insert in lieu thereof the figures "\$73,143.10".

In the engrossed bill, page 2, line 24 which is page 3, line 54 of the printed bill, strike out the total figures "\$62,883.10" and insert in lieu thereof the figures "\$77,883.10".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, item 4 under IMPROVEMENTS AND REPAIRS which is page 3, line 39 of the printed bill, strike out the word "present" and insert in lieu thereof the words "the 1937-1939".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Frosaker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935, Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted.

Mr. Caddell offered as a substitute motion that Senate Bill No. 148 be referred to general orders, which motion was lost.

The question being on the original motion of Mr. Greiser, the motion prevailed and Senate Bill No. 148 was indefinitely postponed.

Mr. Wolf moved that the vote by which Senate Bill No. 148 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Biberdorf moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 37. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 39. 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.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Counties made the following report:

Mr. Speaker: Your Committee on Counties to whom was referred:

Senate Bill No. 214. A Bill for an Act to Amend and Re-enact Section 3314a6 of the Supplement to the Compiled Laws of 1913, Providing that all Expenditures Must Conform to the County Budget as Adopted; Providing that no Bill Incurred in Excess of Any Budget Item May Be Paid or Included in Any Succeeding Appropriation or Budget, and Defining Duties of County Auditor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. W. FRAZIER,  
Chairman.

Mr. Trydahl moved that the report be adopted.

Mr. Burgum offered as a substitute motion that Senate Bill No. 214 be placed on the calendar. A division was called for and the motion was lost.

The question being on Mr. Trydahl's original motion, the motion prevailed, and Senate Bill No. 214 was indefinitely postponed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Which the Senate has amended as shown on page 644, Senate Journal, Feb. 12, 1937.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Frazier moved that the House do not concur in the Senate amendments to House Bill No. 45, and that a conference committee be appointed to act with a like commit-

tee from the Senate, which motion prevailed and the chair appointed to such committee Representatives Frazier, Greiser and Morris.

#### FOURTH ORDER OF BUSINESS

##### PETITIONS AND COMMUNICATIONS

A petition from Steele County, signed by Melvin Peterson and one hundred and forty-eight others, urging defeat of House Bill No. 216.

A petition from Barnes County, signed by one hundred and sixty-nine signers, urging defeat of Senate Bill No. 13.

The Speaker resumed the chair.

Mr. Wolf moved that the House be on the Thirteenth Order of Business, and that at the completion of such business the House stand recessed until 12:30 P. M. tomorrow, which motion prevailed.

##### FIRST READING OF SENATE BILLS

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4 of Chapter 138 of the North Dakota Session Laws for the Year 1929 Entitled "An Act to Provide for the Storage of Grain Upon

Farms and on or Near Railway Rights-of-Way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of 'Grain Storage Commissioner of North Dakota,' Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and 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 Public Printing.

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to



Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 4444 and 4446 of Chapter 9 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing for Adoption of Minors and Adults, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

Was read the first time and referred to the Committee on Public Health.

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of

Funds Accruing From Said Sale, and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Providing for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Providing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 169. A Bill for an Act to Provide for the Protection of Prehistoric Deposits, Relics, Indian Mounds, Graves, Village Sites, and Other Archaeological Material. To Provide for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Material and Providing a Penalty for Violations.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 244. A Bill for an Act Making an Appro-

priation to the State Historical Society for the Purchase of Land and/or Materials to Be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount

Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 63. A Bill for an Act Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and an Inspector of Said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department. Providing for the Duties of Said Director, Assistant Director and Inspector of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith, the Enforcement of Said Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes and Providing for the Distribution of the Moneys Collected by the Regulatory Department to the Counties and State Equalization Fund. Repealing All Acts and All Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 235. A Bill for an Act Establishing a State Board of Public Finance, Setting Out the Membership Thereof, Defining the Duties of Such Board, Making It Unlawful for Any State Officer, Superintendent, Manager or Head of Any State Department to Purchase or Sell Securities for or on Behalf of the State and Providing a Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be

Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Dealing with the North Dakota Beverage Inspection Act, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the Fee Required to be Paid for Registration of Label Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Was read the first time and referred to the Committee on Livestock.

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 236. A Bill for an Act Prohibiting the Admission of Any Minor Into Any Retail Liquor Store in the State of North Dakota Holding an "On Sale" License Under the Provisions of the Liquor Control Act of This State, and Requiring Rigid Enforcement of This Act by Police Officials and State's Attorneys, and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 2166 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 of the Session Laws of North Dakota for 1929, and as Amended by Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2169 and Section 2175 of the Compiled Laws of North Dakota for 1913; and Section 2178 of

the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 122 of the Session Laws of North Dakota for 1935, Providing for the Delinquency of Personal Property Taxes, the Penalty Thereon and the Collection Thereof by the County Treasurer; Providing for a Lien for Delinquent Personal Taxes; Providing for Delinquent Tax Lists and the Duties of the Board of County Commissioners in Connection Therewith; Providing for the Duties of the County Treasurer and for His Neglect or Refusal to Perform His Duty in Connection Therewith, and for a penalty; Providing for the Fees for the Sheriff, or County Treasurer in Making Distress for Personal Taxes; Repealing Sections 2167, 2168 and 2173 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Section 2093 of the Supplement to the Compiled Laws of 1913, Defining Manner of Listing Real and Personal Property and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Elections and Election Privileges.

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Public Printing.

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 2, 3 and 8 of Chapter 135, of the Session Laws of 1935, Relating to the Election of Presidential Electors, Precinct Committeemen; Delegates to National Conventions, National Committeemen and Committeewomen; for organization of County and State Committees, of Political Parties.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 183. A Bill for an Act to Authorize and Empower the Public Welfare Board to Borrow Money from the Bank of North Dakota, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Agriculture.

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; Providing for the Repeal of Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and All Other Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.



Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Was read the first time and referred to the Committee on Tax and Tax Laws.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Joe Kaufman, Uhli Buhli, Geo. Leich, Hebron; Percy Wilson, Wimbledon; Web. Altringer, Eckelson; Gust M. Anderson, Ft. Ransom; Dr. L. B. McClain, Lisbon; A. E. White, A. C. Christianson, Minot; A. G. Jacobson, Cartwright; John S. Sagmiller, Bowman; Ray Thomas, Dickinson; Miss Deloris Dohn, Mrs. Cytella Peterson, Judge R. G. McFarland, Jamestown; James L. Brastrup, C. R. Verry, Minot.

The House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-FIRST DAY AFTER RECESS AND  
FIFTY-SECOND DAY

House of Representatives.  
Bismarck, North Dakota.  
February 25, 1937.

The House convened at 12:30 P. M., pursuant to recess, Speaker Dahl presiding.

GENERAL ORDERS

Mr. Symington moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Symington to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And recommend the adoption of the standing committee's amendments as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 3 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended, recommend the same do pass.

Also,

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau," strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 4 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau" strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, page 2, Section 3, line 4 after the word "Act", strike out the entire Senate amendment "or to such other agency as may be designated by law". Also strike out the "comma" preceding the amendment.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 3 after the word "Act", strike out the "Comma" and the entire Senate

amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 6, strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 4 after the word "Act", strike out the "comma" and the entire Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 5 after the word "Bureau", strike out the entire Senate amendment "or to such other agency as may be established or designated by law to administer such money,".

In the engrossed bill, Section 3, line 5, after the word "Act", strike out the "comma" and on line 6, strike out the Senate amendment "or to such other agency as may be designated by law".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, page 1, Section 1, line 3 which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$62,883.10" and insert in lieu thereof the figures "\$77,883.10".

In the engrossed bill, Under Operating Expense, item 15 which is page 2, line 30 of the printed bill, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$19,000.00".

In the engrossed bill, page 2, line 8, Total Maintenance which is page 2, line 34 of the printed bill, strike out the figures "\$72,143.10" and insert in lieu thereof the figures "87,143.10".

In the engrossed bill, page 2, line 10 which is page 3, line 37 of the printed bill, strike out the figures "\$58,143.10" and insert in lieu thereof the figures "\$73,143.10".

In the engrossed bill, page 2, line 24 which is page 3, line 54 of the printed bill, strike out the total figures "\$62,883.10" and insert in lieu thereof the figures "\$77,883.10".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, item 4 under IMPROVEMENTS AND REPAIRS which is page 3, line 39 of the printed bill, strike out the word "present" and insert in lieu thereof the words "the 1937-1939".

And when so amended recommend the same do pass.

EARL D. SYMINGTON,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Have had the same under consideration and recommend that the same do pass.

N. J. JENSEN,  
Chairman.

Mr. Wick moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass as it came from the Senate.

JAMES CADDELL,  
Chairman.

Rep. Langford moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Elections and Election Privileges made the following report:

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred:

Senate Bill No. 154. A Bill for an Act to Provide a Method of Voting at any General or Primary Election by Electors Absent or Anticipating Being Absent on the Day of Such Election from the County in Which They are Electors, Repealing Sections 992, 993, 995 and 996 of the Compiled Laws of North Dakota 1913 as Amended by Chapter 136 of the 1931 Session Laws and by Chapter 107 of the 1933 Session Laws, and Repealing Sections 994, 997, 998, 999, 1000, 1001, 1002, 1003 and 1004 of the Compiled Laws of North Dakota 1913, and Repealing all Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass as it came from the Senate.

JAMES CADDELL,  
Chairman.

Mr. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations

in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Have had the same under consideration and recommend the approval of the appropriation set by the Senate and further recommended that this bill be re-referred to the Committee on Agriculture.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 22, of the original bill, which is line 24 of printed bill, after the word "institution" insert the following: "and the income of the State Seed Department as provided under existing Laws;"

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

### SECOND READING OF SENATE BILLS

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, 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, 74; nays, 21; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Odegard
Anfinson	Holm	Oglesby
Anderson	Holthusen	Olson, Bowman
Beasley	Hultstrand	Olson, Sargent
Benno	Huseby	Page
Biberdorf	Johnson	Peterson, Bot'neau
Billigmeier	Jury	Peterson, Renville
Bjornson	Kapaun	Peterson, Richland
Black	Knudson, Steele	Pewe
Blair	Krank	Sand
Brown	Kraus	Sandness
Burgum	LaBerge	Saumur
Byrne	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	Levin	Sticka
Day	Livingston	Stray
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Urschel
Gilberg	Nelson, Sargent	Wendland
Graham	Norheim	Mr. Speaker
Hagen	Obach	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Semerad
Bieloh	Jensen	Solberg
Frazier	Just	Tuff
Goodlaxon	McIntee	Tweten



Messrs.	Messrs.	Messrs.
Greiser	Rait	Wick
Hofstrand	Savre	Williams
Holmquist	Seibel	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Knutson, LaMoure	Schauss
Beggs	McInnes	Schimke
Brusseau	O'Brien	Shurr, Bottineau
Fitch	Olson, Adams	Traynor
Godwin	Olson, McLean	Twichell
Jones	Ritter	White

So the bill passed and the title was agreed to.

Mr. Peterson of Renville moved tht the vote by which Senate Bill No. 57 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### EXPLANATIONS OF VOTES

Mr. Frazier: I am forced to vote "no" on this bill however, much I would like to vote "aye," for I took my oath of office to support the Constitution of the State of North Dakota, and in that Constitution it says that we shall not have any class legislation. When we are appropriating the taxpayers' money for the maintenance of a private institution we are violating the oath. Therefore I vote "no."

Mr. Holmquist: I am voting "no" on this bill for the reason that they have raised the appropriation considerably over that of two years ago. I don't see why we have to raise it up and up and up right now. I am voting "no" on this bill.

Mr. Magill: I am voting "aye" on this bill because I think the Minot Normal has been treated as the step-child of the North Dakota educational system long enough.

Mr. Williams: I think this is a robbery. I think it is robbing the taxpayers of the State of North Dakota. An enormous bill like this, just a thousand dollars more than two years ago, and when I say taxpayers of the State of North Dakota I mean the farmers. With the people of the State suffering, you sit here in this lighted room, with all the comforts of life, and give these big appropriations to keep schools going. I believe in education, but I believe in preserving the home first. I vote "no."

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter

160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Byrne asked the unanimous consent of the House to amend Senate Bill No. 119 by striking out the language "two hundred (200)" in line 13 of page 4 to read "three hundred (300)", which consent was granted.

Mr. Bjornson asked the unanimous consent of the House to amend Senate Bill No. 119 by striking out in lines 22 and 23 on page 6 the following language "the time named, not less than fifteen nor more than forty-five", and inserting in lieu thereof the word "thirty", which consent was granted.

Mr. Byrne moved that the rules be suspended and that Senate Bill No. 119 be considered properly engrossed and placed on 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, 99; nays, 5; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Johnson	Ritter
Benno	Jensen	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Blair	Kraus	Semerad
Burgum	LaBerge	Severson
Byrne	Langford	Shurr, Bottineau
Caddell	Leum	Solberg
Day	Levin	Sticka
Dittmer	Livingston	Stray
Dullea	McIntee	Thompson
Frazier	Magill	Thoreson
Freitag	Morland	Treffry
Frey	Morris	Trydahl
Frosaker	Myers	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Nelson, Sargent	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Greiser	Odegard	Wick
Hagen	Oglesby	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brown	Page	Symington
Dalzell	Shure, Cass	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brusseau	Kapaun	Olson, Adams
Fitch	McInnes	Schauss
Jones	Niewoehner	Traynor

So the bill passed and the title was agreed to.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

#### FIFTY-SECOND DAY

House of Representatives,  
Bismarck, North Dakota,  
February 25, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. A. R. Henry of Mandan.

The roll was called, and all members were present except Representatives Bjornson, Byrne, Fitch, Gilberg, Holthusen, Kapaun, Knutson of LaMoure, Olson of Bowman, and Ritter.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fiftieth Day after Recess and Fifty-first Day and recommend that the same be corrected as follows:

At the end of the last line on page 1368 of the Journal for February 23, after the word "to" change the (.) to a comma (,) and insert the following: "The Emergency Clause was declared carried."

Page 1436, Senate Bill 118 shows that same was referred to Committee on Judiciary whereas same was referred to Committee on Appropriation.

Page 1399, on roll call, House Bill No. 308 shows Tuff voting "No", whereas he voted "Aye."

Page 1401, line 7, change the word "best" to "least."

In page 1394, line 7, change "House Bill No. 277" to read "House Bill No. 377."

Page 1441, under General Orders, change "Senate Bill No. 33" to read "Senate Bill No. 32" and insert corrected title.

Page 1420, line 28, change "2:00 P. M." to read "3:30 P. M."

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Frazier moved that Joint Rule No. 9 be suspended, and that Senate Bill No. 82 be received from the Senate.

Which motion was lost.

Mr. Godwin moved that the vote by which Mr. Frazier's motion was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### PETITIONS AND COMMUNICATIONS

Petition signed by seventy resident of Ransom County urging the defeat of Senate Bill No. 13.

Petition signed by forty-five residents of Kenmare urging the defeat of Senate Bill No. 13.

Petition signed by sixty residents of Casselton, opposing Senate Bill No. 13.

Petition signed by one hundred thirty-two residents of Stark County, opposing the passage of Senate Bill No. 13.

#### FIFTH ORDER OF BUSINESS

##### REPORTS OF STANDING COMMITTEES

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 3839 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Schauss moved that the vote by which Senate Bill No. 163 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION "E-1"

Introduced by Joint Committee on Employment

Be it Resolved by the House of Representatives, the Senate Concurring:

That Thomas McDonald, Secretary of the Senate, and Mrs. Minnie D. Craig, Chief Clerk of the House, are hereby authorized, empowered and employed to compare and index the Journal of the Twenty-Fifth Legislative Assembly, and to complete the Senate and House Journals and mail out to the members the temporary Journals of the last days of the session, which have not been delivered to members before the close thereof; and the said Thomas McDonald, Secretary of the Senate, and Mrs. Minnie D. Craig, Chief Clerk of the House, are hereby directed and required at their own cost and expense to arrange for and procure sufficient assistance to insure that the said work shall be completed within thirty days after the adjournment of the session.

BE IT FURTHER RESOLVED, That for the services of the said Thomas McDonald, Secretary of the Senate, and Mrs. Minnie D. Craig, Chief Clerk of the House, as above set forth, that they be paid the sum of \$400.00 each, which shall include compensation for an assistant to be selected by each, all to be paid as other legislative expense, and paid when the respective claims are verified by the affidavits of the said Thomas McDonald, and Mrs. Minnie D. Craig showing the completion of such work.

BE IT FURTHER RESOLVED, That the necessary postage for mailing out the copies of temporary Journals as aforesaid be furnished to the said Secretary of the Senate and the said Chief Clerk of the House as part of the legislative expenses of this session.

## ROLL CALL

The question being on the adoption of House Concurrent Resolution "E-1" the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Blair	Kraus	Semerad
Brown	LaBerge	Severson
Brusseau	Langford	Shure, Cass
Burgum	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Tweten
Goodlaxon	Obach	Twichell
Graham	O'Brien	Urschel
Greiser	Odegard	Wendland
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Mr. Speaker

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Holmquist	Ritter
Byrne	Jones	Schauss
Fitch	Morland	Wolf
Godwin	Olson, Bowman	

So the resolution was adopted.

## HOUSE CONCURRENT RESOLUTION "D-1"

Introduced by Joint Committee on Employment

WHEREAS, A complete record of action upon and disposal of all bills introduced in the House and Senate during this

Session, should be made available to House and Senate Members as quickly as possible; such record to show what bills have been indefinitely postponed, withdrawn or passed, with notation of Journal date and page of amendments thereto;

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That such compilation be at once prepared in a pamphlet similar in size to the House and Senate Journals; that Helen Ulsrud be employed for the House and Margaret Sheehan be employed for the Senate; they working together to prepare such compilation immediately. A copy of the same to be mailed as speedily as possible by the House and Senate mailing force to each member of the House and Senate, at the home address thereof. That the said Helen Ulsrud and Margaret Sheehan be and they are hereby respectively retained on this work for the House and for the Senate for the period of three days after the adjournment of this Legislative Assembly, at their present pay; such compensation with the printing expense of such pamphlet and of mailing the same to be charged and paid as legislative expense.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "D-1", the roll was called and there were ayes, 100; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Jury	Rait
Beggs	Just	Ritter
Benno	Kapaun	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Brusseau	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Dittmer	Morris	Symington
Dullea	Myers	Thompson
Frazier	Niewoehner	Thoreson
Freitag	Nelson, Cass	Traynor
Frey	Nelson, Sargent	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Goodlaxon	Odegard	Twichell



<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Graham	Oglesby	Urschel
Hagen	Olson, Adams	White
Haines	Olson, McLean	Wick
Hofstrand	Olson, Sargent	Williams
Holm	Page	Mr. Speaker
Holthusen		

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Holmquist	Olson, Bowman
Byrne	Johnson	Schauss
Fitch	Jones	Wendland
Godwin	Morland	Wolf
Greiser		

So the resolution was adopted.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. C. ODEGARD,  
Chairman.

Mr. Niewoehner moved that the report be adopted.

Mr. Twichell offered as a substitute motion that Senate Bill No. 66 be recommended for passage.

Mr. Godwin offered as an amendment to the substitute motion that Senate Bill No. 66 be returned to the Committee on Public Health.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the House reconsider the vote by which Senate Bill No. 163 was indefinitely postponed.

A division was called for, and the motion prevailed.

Mr. Fitch moved that Senate Bill No. 163, Senate Bill No.

168 and Senate Bill No. 196 be referred to the Ways and Means committee.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, page 1, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$215,240.00" and insert in lieu thereof the figures "\$218,040.00".

In the engrossed bill, page 3, line 7, which is page 4, line 59 of the printed bill, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$6,800.00".

In the engrossed bill, page 3, line 9, which is page 4, line 61 of the printed bill, strike out the figures "\$218,040.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 76. 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.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Dullea moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 78. 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.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 21, which is page 2, line 23 of the printed bill, strike out the figures "\$18,200.00" and insert in lieu thereof the figures "\$25,000.00".

In the engrossed bill, Section 1, line 22, which is page 2, line 24 of the printed bill, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$13,200.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Adam moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws 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, 76; nays, 31; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Anderson	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jones	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Saumur
Bjornson	Krank	Savre
Black	Kraus	Severson
Burgum	LaBerge	Shure, Cass
Byrne	Langford	Shurr, Bottineau
Caddell	Leum	Solberg
Dalzell	Levin	Stray
Dullea	Livingston	Symington
Fitch	McInnes	Thompson
Freitag	McIntee	Thoreson
Frosaker	Magill	Traynor
Gessner	Morris	Treffry
Gilberg	Niewoehner	Trydahl
Godwin	Nelson, Cass	Twichell
Goodlaxon	Nelson, Sargent	Urschel
Graham	O'Brien	White
Hagen	Odegard	Wolf
Haines	Olson, Sargent	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Schauss
Bieloh	Jury	Schimke
Billigmeier	Knutson, LaMoure	Seibel
Blair	Myers	Semerad
Brown	Norheim	Sticka
Brusseau	Obach	Tuff
Day	Oglesby	Tweten
Dittmer	Olson, Adams	Wendland

Messrs.	Messrs.	Messrs.
Frazier	Olson, McLean	Wick
Greiser	Rait	Williams
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Frey	Just	Olson, Bowman
Holmquist	Morland	Ritter

So the bill passed and the title was agreed to.

Mr. Sand moved that the vote by which Senate Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hagen: The bee industry has grown from 785 hives in 1921 to 32,000 in 1937. I wish the appropriation had been left at two thousand dollars, and I vote "aye."

Mr. Magill: It seems as though the bee industry is a peculiar industry itself. These bee diseases can only be eradicated by co-operation of the Commissioner of Agriculture and Labor. Therefore I vote "aye."

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Was read the second time.

Mr. Williams: I feel that this is one of the major bills that has come before this body this session. We are living in an agricultural state. Every dollar of revenue comes direct from the farm property of this state. We have our life savings, our life work, in these farms, and the law says now after you have your farms two-thirds paid for they can come in and sell your farm, and if there isn't enough money, they can levy on your other property that isn't mortgaged. How long are you farmers going to stand for this sort of thing? There have been thousands of dollars taken away from the old sobbusters in this way. We ought to have had this law 25 or 30 years ago, and perhaps we wouldn't be in the gravel pits today. Men, do you realize we passed nearly four hundred bills in this House in these last two months, and I can count on my one hand the ones that have been of any benefit to the farmers. We have saved every other industry, from the hairdressers to the utility companies and we have forgotten the men and women who made this state and made it possible for us to be here today. Friends, we have a chance now to adjust ourselves and go down the line and protect our own industry, and vote "yes" on this bill. It is the only thing to do.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sandness
Biberdorf	Jury	Savre
Bieloh	Just	Schauss
Billigmeier	Kapaun	Schimke
Bjornson	Knutson, LaMoure	Seibel
Black	Krank	Semerad
Brown	LaBerge	Severson
Brusseau	Levin	Shurr, Bottineau
Burgum	Livingston	Solberg
Byrne	McInnes	Sticka
Caddell	McIntee	Stray
Dalzell	Morland	Thompson
Day	Myers	Thoreson
Frazier	Niewoehner	Treffry
Freitag	Nelson, Sargent	Tuff
Frosaker	Obach	Tweten
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, McLean	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	Mr. Speaker
Holm	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Nelson, Cass
Beasley	Ireland	Norheim
Blair	Knudson, Steele	Saumur
Dittmer	Kraus	Shure, Cass
Dullea	Langford	Symington
Fitch	Leum	Traynor
Frey	Magill	Trydahl
Gessner	Morris	Twichell
Gilberg		

Absent and not voting:

Messrs.	Messrs.
Olson, Bowman	Sand

So the bill passed and the title was agreed to.

Mr. Brusseau moved that the vote by which Senate Bill No. 72 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: For the benefit of the record I want to explain my vote. I found that in most cases the deficiency judgments are going out of style with loan companies in this state, and I do not want to close the door to farmers who are badly in need of loans, and for that reason I vote "no".

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making 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, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Akland	Holthusen	Olson, Sargent
Anderson	Hultstrand	Page
Anfinson	Huseby	Peterson, Bot'neau
Benno	Ireland	Peterson, Renville
Biberdorf	Jensen	Peterson, Richland
Bieloh	Jones	Pewe
Billigmeier	Jury	Rait
Bjornson	Just	Ritter
Black	Kapaun	Sandness
Blair	Knudson, Steele	Saumur
Brown	Knutson, LaMoure	Savre
Brusseau	Krank	Schauss
Burgum	Kraus	Semerad
Byrne	LaBerge	Seibel
Caddell	Langford	Severson
Dalzell	Leum	Shure, Cass
Day	Levin	Shurr, Bottineau
Dittmer	Livingston	Solberg
Dullea	McInnes	Sticka
Fitch	McIntee	Symington
Frazier	Magill	Thompson
Freitag	Morland	Thoreson
Frey	Morris	Traynor
Frosaker	Myers	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Norheim	Twichell
Graham	Obach	Urschel
Greiser	O'Brien	Wendland
Hagen	Odegard	Wick

Messrs.	Messrs.	Messrs.
Haines	Oglesby	Williams
Hofstrand	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Stray
Beaton	Sand	White
Beggs	Schimke	

So the bill passed and the title was agreed to.

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof 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, 101; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Page
Anderson	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe
Benno	Jones	Rait
Biberdorf	Jury	Ritter
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schauss
Blair	Krank	Seibel
Brown	Kraus	Semerad
Brusseau	LaBerge	Severson
Burgum	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Symington
Dittmer	McIntee	Thompson
Dullea	Magill	Thoreson
Freitag	Morland	Traynor
Frey	Morris	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tuff
Gilberg	Nelson, Sargent	Tweten
Goodlaxon	Norheim	Twichell
Greiser	Obach	Urschel
Hagen	O'Brien	Wendland
Haines	Odegard	White



Messrs.	Messrs.	Messrs.
Hofstrand	Oglesby	Wick
Holm	Olson, Adams	Williams
Holmquist	Olson, Bowman	Wolf
Holthusen	Olson, McLean	Mr. Speaker
Hultstrand	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.
Akland	Myers

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Godwin	Sand
Beggs	Graham	Schimke
Fitch	Peterson, Bot'neau	Stray
Frazier		

So the bill passed and the title was agreed to.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:  
Mrs. Emma Freitag, Max; Mrs. Rose Shunk, Bismarck.

Mr. Godwin moved that the House now recess until 12:30 tomorrow, which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-SECOND DAY AFTER RECESS AND  
FIFTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

The House convened at 12:30 P. M., pursuant to recess, Speaker Dahl presiding.

GENERAL ORDERS

Mr. Frazier moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Frazier to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

And recommend the adoption of the Standing Committee's amendments as follows:

In Section 1, line 22, of the original bill, which is line 24 of printed bill, after the word "institution" insert the following: "and the income of the State Seed Department as provided under existing Laws;"

And when so amended recommend the same do pass.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

And recommend the adoption of the Standing Committee's Amendments as follows:

In the engrossed bill, page 1, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$215,240.00" and insert in lieu thereof the figures "\$218,040.00".

In the engrossed bill, page 3, line 7, which is page 4, line 59 of the printed bill, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$6,800.00".

In the engrossed bill, page 3, line 9, which is page 4, line 61 of the printed bill, strike out the figures "\$218,040.00".

And the further amendments:

Correct the third amendment of the committee amendment by striking out the figures "218,040.00" and inserting in lieu thereof the words and figures "'215,240.00' and insert in lieu thereof the figures '\$218,040.00'"

And when so amended recommend the same do pass.

Also,

Senate Bill No. 78. 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.

And recommend the same do pass as it came from the Senate.

R. W. FRAZIER,  
Chairman.

Mr. Burgum moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEES

The Committee on Election and Election Privileges made the following report:

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred:

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 2, 3 and 8 of Chapter 135, of the Session Laws of 1935, Relating to the Election of Presidential Electors, Precinct Committeemen; Delegates to National Conventions, National Committeemen and Committeewomen; for organization of County and State Committees, of Political Parties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL,  
Chairman.

Mr. Akland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the vote by which Senate Bill No. 23 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Election and Election Privileges made the following report:

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred:

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 951, Compiled Laws of North Dakota of the Year 1913, as Amended by Chapter 136 of the Session Laws of 1927; Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL,  
Chairman.

Mr. Akland moved that the report be adopted.

Mr. Burgum offered as a substitute motion that Senate Bill No. 125 be placed on the calendar, which motion was lost.

The question being on the original motion of Mr. Akland, the motion prevailed and Senate Bill No. 125 was indefinitely postponed.

Mr. Twichell moved that the vote by which Senate Bill No. 125 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 2166 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 of the Session Laws of North Dakota for 1929, and as Amended by Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2169 and Section 2175 of the Compiled Laws of North Dakota for 1913; and Section 2178 of the Compiled Laws of North Dakota for 1913, as Amended by

Section 1 of Chapter 122 of the Session Laws of North Dakota for 1935, Providing for the Delinquency of Personal Property Taxes, the Penalty Thereon and the Collection Thereof by the County Treasurer; Providing for a Lien for Delinquent Personal Taxes; Providing for Delinquent Tax Lists and the Duties of the Board of County Commissioners in Connection Therewith; Providing for the Duties of the County Treasurer and for His Neglect or Refusal to Perform His Duty in Connection Therewith, and for a penalty; Providing for the Fees for the Sheriff, or County Treasurer in Making Distress for Personal Taxes; Repealing Sections 2167, 2168 and 2173 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Frazier moved that the vote by which Senate Bill No. 198 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Section 2093 of the Supplement to the Compiled Laws of 1913, Defining Manner of Listing Real and Personal Property and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Bieloh moved that the vote by which Senate Bill No. 213 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Election and Election Privileges made the following report:

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred:

Senate Bill No. 232. A Bill for an Act to Amend and Re-

enact Section 959 of the Supplement to the Compiled Laws of 1913 Relating to Election Ballots.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL,  
Chairman.

Mr. Langford moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Trydahl moved that the vote by which Senate Bill No. 232 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Have had the same under consideration and recommend that the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Was read the second time.

The Speaker called Mr. Fitch to the chair.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Bowman
Akland	Holm	Olson, McLean

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Anderson	Holmquist	Olson, Sargent
Anfinson	Holthusen	Page
Beasley	Hultstrand	Peterson, Bot'neau
Beaton	Huseby	Peterson, Renville
Beggs	Ireland	Peterson, Richland
Benno	Jensen	Pewe
Biberdorf	Johnson	Rait
Bieloh	Jones	Ritter
Billigmeier	Jury	Sand
Bjornson	Just	Sandness
Black	Kapaun	Savre
Blair	Knudson, Steele	Schimke
Brown	Knutson, LaMoure	Seibel
Brusseau	Krank	Semerad
Burgum	Kraus	Severson
Byrne	LaBerge	Shure, Cass
Caddell	Langford	Solberg
Dalzell	Leum	Sticka
Day	Levin	Stray
Dittmer	Livingston	Symington
Dullea	McInnes	Thompson
Fitch	McIntee	Thoreson
Frazier	Magill	Traynor
Freitag	Morland	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Nelson, Sargent	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Greiser	Odegard	Wick
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Morris	Schauss	Mr. Speaker
Saumur	Shurr, Bottineau	

So the bill passed and the title was agreed to.

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Was read the second time.

Mr. Godwin asked the unanimous consent of the House to amend Senate Bill No. 22 as follows: Before the figure "1" in Section 1, insert the word "Section".

In Section 2, before the figures "No. 714a13", insert the words and figures "Section 2".

Which consent was granted.

Mr. Godwin moved that the rules be suspended and that

Senate Bill No. 22 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 29; absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Goodlaxon	Olson, Adams
Akland	Graham	Olson, Bowman
Anfinson	Holm	Olson, McLean
Beasley	Holmquist	Olson, Sargent
Beaton	Holthusen	Peterson, Bot'neau
Benno	Hultstrand	Peterson, Renville
Biberdorf	Huseby	Peterson, Richland
Billigmeier	Ireland	Ritter
Bjornson	Johnson	Sand
Black	Jury	Sandness
Blair	Knudson, Steele	Schimke
Brown	Knutson, LaMoure	Shure, Cass
Brusseau	Krank	Shurr, Bottineau
Burgum	Kraus	Solberg
Byrne	LaBerge	Sticka
Caddell	Langford	Symington
Dalzell	Levin	Thompson
Day	McInnes	Thoreson
Dittmer	Morland	Traynor
Dullea	Niewoehner	Tuff
Fitch	Nelson, Cass	Tweten
Freitag	Nelson, Sargent	Twichell
Frey	Norheim	Urschel
Gessner	O'Brien	Wendland
Gilberg	Odegard	White
Godwin	Oglesby	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Just	Savre
Beggs	Leum	Seibel
Bieloh	Livingston	Semerad
Frosaker	McIntee	Severson
Greiser	Magill	Treffry
Hagen	Myers	Trydahl
Haines	Obach	Wick
Hofstrand	Page	Wolf
Jensen	Pewe	Mr. Speaker
Jones	Rait	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Frazier	Morris	Schauss
Kapaun	Saumur	Stray

So the bill passed and the title was agreed to.



Mr. Burgum moved that the vote by which Senate Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of 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, 98; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anderson	Jensen	Peterson, Richland
Anfinson	Johnson	Pewe
Beasley	Jones	Rait
Beggs	Jury	Ritter
Benno	Just	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Savre
Billigmeier	Krank	Schimke
Bjornson	Kraus	Seibel
Black	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McIntee	Sticka
Dalzell	Magill	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Niewoehner	Traynor
Frey	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Tuff
Goodlaxon	O'Brien	Tweten
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Holthusen	Nelson, Cass
Frosaker	Hultstrand	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Godwin	Saumur
Frazier	Kapaun	Schauss
Freitag	McInnes	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Page moved that the vote by which Senate Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

Was read the second time.

Mr. Trydahl moved that further consideration of Senate Bill No. 45 be indefinitely postponed.

Mr. Oglesby moved the previous question, which motion prevailed.

The question being on Mr. Trydahl's motion that Senate Bill No. 45 be indefinitely postponed, the motion prevailed.

Mr. Trydahl moved that the vote by which Senate Bill No. 45 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker resumed the chair.

#### REPORTS OF STANDING COMMITTEES

A majority of the Committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ED. McINTEE,  
L. L. TWICHELL,  
EDWIN TRAYNOR,  
CHAS. H. BLACK,  
OSCAR W. HAGEN,  
ROB. GREISER,  
VAL P. WOLF,  
Chairman.

Mr. Hagen moved that the report be adopted.

A minority of the Committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

On original bill, page 2, subsection e, line 6 after the word "instructors" strike out the period (.) and insert the following: "and it is expressly provided that no school of hairdressing or cosmetology shall make any charge for any services or material which is covered and included within the practice of hairdressing or cosmetology, and which may be rendered by any student in such school except the actual cost of material used."

F. J. HAINES,  
H. R. FREITAG,  
L. C. ODEGARD,  
GEO. SAUMUR,  
E. KNUTSON, of LaMoure.  
JAMES CADDELL.

And when so amended recommend the same do pass.

Mr. Caddell moved that the report of the minority be substituted for the report of the majority.

Mr. O'Brien moved the previous question, which motion prevailed.

The question being on Mr. Caddell's motion, the motion prevailed and the minority report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Rait moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Tweten moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

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#### FIFTY-THIRD DAY

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Frank Larson of Mandan.

The roll was called and all members were present except Representatives Hultstrand and Kapaun.

So a quorum was declared present.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-first day after Recess and Fifty-second Day and recommend that the same be corrected as follows:

House Journal, February 25th, page 1448, in line 4, change "\$1,900.00" to "\$19,000.00".

And when so corrected recommend the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement to the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$8,220.00" and insert in lieu thereof the figures "\$7,220.00".

In the engrossed bill, line 9, which is page 1, line 11, of the printed bill, strike out the figures "\$3,200" and insert in lieu thereof the figures "\$3,000.00".

In the engrossed bill, line 12, which is page 2, line 14 of the printed bill, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$300.00".

In the engrossed bill, line 13, which is page 2, line 15 of the printed bill, strike out the figures "\$150.00" and insert in lieu thereof the figures "\$100.00".

In the engrossed bill, line 15, which is page 2, line 17 of the printed bill, strike out the figures "\$350.00" and insert in lieu thereof the figures "\$300.00".

In the engrossed bill, line 17, which is page 2, line 19, of

the printed bill, strike out the figures "1,200.00" and insert in lieu thereof the figures "900.00".

In the engrossed bill, line 18, which is page 2, line 20 of the printed bill, strike out the figures "800.00" and insert in lieu thereof the figures "500.00".

In the engrossed bill, line 19, which is page 2, line 22 of the printed bill, strike out the figures "\$8,220.00" and insert in lieu thereof the figures "\$7,220.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

#### SENATE CONCURRENT RESOLUTION "L".

Was read the second time.

#### ROLL CALL

The question being on the adoption of the resolution, the roll was called and there were ayes, 51; nays, 39; absent and not voting 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Rait
Anderson	Jensen	Ritter
Anfinson	Knutson, LaMoure	Sand
Beasley	Krank	Savre
Biberdorf	LaBerge	Schauss
Bieloh	McInnes	Schimke
Billigmeier	McIntee	Semerad
Bjornson	Morland	Severson
Brown	Myers	Shurr, Bottineau
Frazier	Obach	Sticka
Godwin	O'Brien	Stray
Goodlaxon	Odegard	Thoreson
Hagen	Olson, Bowman	Tuff
Haines	Olson, McLean	Wendland
Hofstrand	Peterson, Bot'neau	White
Holm	Peterson, Renville	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benno	Jones	Sandness
Blair	Jury	Saumur
Brusseau	Just	Shure, Cass
Burgum	Leup	Symington
Byrne	Levin	Thompson
Caddell	Livingston	Traynor
Dalzell	Magill	Treffry
Day	Morris	Trydahl
Dittmer	Nelson, Cass	Tweten

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Freitag	Norheim	Twichell
Gilberg	Oglesby	Urschel
Holmquist	Page	Wolf
Johnson	Pewe	Mr. Speaker

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Graham	Niewoehner
Beggs	Greiser	Nelson, Sargent
Black	Holthusen	Olson, Adams
Dullea	Hultstrand	Olson, Sargent
Fitch	Kapaun	Seibel
Frey	Knudson, Steele	Solberg
Frosaker	Kraus	Wick
Gessner	Langford	

So the resolution was not adopted.

Mr. Page moved that the vote by which Senate Concurrent Resolution "L" was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return herewith the following bills and resolutions:

HOUSE CONCURRENT RESOLUTION "O".

Also,

HOUSE CONCURRENT RESOLUTION "Q".

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

Also,

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

Also,

House Bill No. 77. A Bill for an Act Making an Appropria-



tion to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "T".

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Re-

pealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker called Mr. Wolf to the chair.

### SECOND READING OF SENATE BILLS

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, 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, 69; nays, 34; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Odegard
Anderson	Huseby	Olson, Bowman
Anfinson	Johnson	Olson, Sargent
Beasley	Jones	Page
Beggs	Jury	Peterson, Bot'neau
Benno	Kapaun	Peterson, Renville
Billigmeier	Knudson, Steele	Peterson, Richland
Black	Knutson, LaMoure	Ritter
Blair	Krank	Sand
Burgum	Kraus	Sandness
Byrne	LaBerge	Saumur
Caddell	Leum	Severson
Dalzell	Levin	Shurr, Bottineau
Day	Livingston	Sticka
Dittmer	McInnes	Symington
Frey	Magill	Thompson
Frosaker	Morland	Thoreson
Gessner	Morris	Traynor
Gilberg	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Twichell
Hagen	Norheim	Urschel
Haines	Obach	Wendland
Holm	O'Brien	White

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Schimke
Biberdorf	Just	Seibel
Bieloh	McIntee	Semerad
Bjornson	Myers	Solberg
Brown	Oglesby	Stray

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brusseau	Olson, Adams	Treffry
Freitag	Olson, McLean	Tuff
Goodlaxon	Pewe	Tweten
Greiser	Rait	Wick
Hofstrand	Savre	Williams
Holmquist	Schauss	Wolf
Ireland		

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Graham	Niewoehner
Dullea	Holthusen	Shure, Cass
Fitch	Langford	Mr. Speaker
Frazier		

So the bill passed and the title was agreed to.

Mr. Sand 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.

Mr. Freitag: I vote "no" because this bill contains an increase in salary for the employees.

Mr. Wick: As this bill contains an increase in salary I vote "no".

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

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, 94; nays, 6; absent and not voting 13.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Haines	Olson, Adams
Akland	Hofstrand	Olson, Bowman
Anderson	Holm	Olson, McLean
Anfinson	Ireland	Olson, Sargent
Beasley	Jensen	Page
Beggs	Johnson	Peterson, Bot'neau
Benno	Jones	Peterson, Renville
Biberdorf	Jury	Peterson, Richland
Bieloh	Kapaun	Pewe
Billigmeier	Knudson, Steele	Rait
Bjornson	Knutson, LaMoure	Sand
Black	Krank	Sandness
Blair	Kraus	Seibel
Brown	LaBerge	Semerad

Messrs.	Messrs.	Messrs.
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tweten
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Oglesby	Wolf
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Holmquist	Wick
Brusseau	Tuff	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Frazier	Langford	Schauss
Holthusen	Ritter	Schimke
Hultstrand	Saumur	Stray
Huseby	Savre	Mr. Speaker
Just		

So the bill passed and the title was agreed to.

Mr. Peterson of Renville moved that Senate Bill No. 248 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

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, 59; nays, 38; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jones	Olson, McLean
Anderson	Jury	Olson, Sargent
Anfinson	Kapaun	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Beaton	Knutson, LaMoure	Pewe
Beggs	Krank	Ritter
Benno	Kraus	Sand
Bjornson	LaBerge	Shurr, Bottineau
Black	Leum	Sticka
Caddell	Levin	Thompson
Day	Livingston	Traynor
Fitch	McInnes	Treffry
Freitag	Magill	Trydahl
Frosaker	Morland	Tuff
Gessner	Morris	Tweten
Gilberg	Myers	Twichell
Godwin	Nelson, Sargent	Urschel
Hagen	Norheim	Wendland
Haines	O'Brien	White
Hofstrand	Olson, Adams	Wolf
Johnson	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Goodlaxon	Oglesby
Beasley	Graham	Page
Biberdorf	Greiser	Peterson, Richland
Bieloh	Holm	Rait
Billigmeier	Holmquist	Sandness
Blair	Ireland	Seibel
Brown	Jensen	Semerad
Brusseau	Knudson, Steele	Severson
Burgum	McIntee	Solberg
Dalzell	Niewoehner	Symington
Dittmer	Nelson, Cass	Wick
Dullea	Obach	Williams
Frey	Odegard	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Langford	Schimke
Frazier	Peterson, Renville	Shure, Cass
Holthusen	Saumur	Stray
Hultstrand	Savre	Thoreson
Huseby	Schauss	Mr. Speaker
Just		

So the bill passed and the title was agreed to.

Mr. Sand moved that the vote by which Senate Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of 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, 88; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Oglesby
Anderson	Hofstrand	<b>Olson, Bowman</b>
Anfinson	Holm	Olson, McLean
Beasley	Holmquist	Olson, Sargent
Beaton	Ireland	Peterson, Bot'neau
Beggs	Jensen	Peterson, Richland
Benn	Johnson	Pewe
Biberdorf	Jones	Rait
Bieloh	Jury	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knudson, Steele	Sandness
Black	Knutson, LaMoure	Seibel
Blair	Krank	Severson
Brown	Kraus	Shurr, Bottineau
Brusseau	LaBerge	Solberg
Burgum	Leum	Sticka
Caddell	Livingston	Symington
Day	McInnes	Thompson
Dittmer	McIntee	Traynor
Dullea	Magill	Treffry
Fitch	Morland	Trydahl
Freitag	Morris	Tweten
Frey	Myers	Twichell
Frosaker	Niewoehner	Urschel
Gessner	Nelson, Sargent	Wendland
Gilberg	Norheim	White
Godwin	Obach	Wick
Goodlaxon	O'Brien	Wolf
Graham	Odegard	Williams
Greiser		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Langford	Schauss
Byrne	Levin	Schimke
Dalzell	Nelson, Cass	Semerad
Frazier	Olson, Adams	Shure, Cass
Hagen	Page	Stray
Holthusen	Peterson, Renville	Thoreson
Hultstrand	Saumur	Tuff
Huseby	Savre	Mr. Speaker
Just		

So the bill passed and the title was agreed to.

## MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 214. A Bill for an Act to Amend and Re-enact Section 3314a6 of the Supplement to the Compiled Laws of 1913, Providing that all Expenditures Must Conform to the County Budget as Adopted; Providing that no Bill Incurred in Excess of Any Budget Item May Be Paid or Included in Any Succeeding Appropriation or Budget, and Defining Duties of County Auditor.

Also,

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935, Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to transmit herewith the following resolution:

JOINT MEMORIAL RESOLUTION "B-1" (and 10 copies).

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck North Dakota,  
February 26, 1937.

Mr. President: I have the honor to transmit herewith the following resolutions:

HOUSE CONCURRENT RESOLUTION "E-1".

Also,

HOUSE CONCURRENT RESOLUTION "D-1".

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Amendments are on Page 1010, House Journal.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Senate Bill No. 37. 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, 97; nays, 0; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Anderson	Hultstrand	Olson, Sargent
Akland	Ireland	Page
Anfinson	Jensen	Peterson, Bot'neau
Beasley	Johnson	Peterson, Renville
Beaton	Jones	Peterson, Richland
Beggs	Jury	Pewe



Messrs.	Messrs.	Messrs.
Biberdorf	Kapaun	Rait
Bieloh	Knudson, Steele	Ritter
Billigmeier	Knutson, LaMoure	Sand
Bjornson	Krank	Sandness
Black	Kraus	Saumur
Blair	LaBerge	Schauss
Brown	Leum	Seibel
Brusseau	Levin	Semerad
Burgum	Livingston	Severson
Caddell	McInnes	Shurr, Bottineau
Dalzell	McIntee	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Symington
Freitag	Morris	Thompson
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tuff
Gilberg	Nelson, Sargent	Tweten
Godwin	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Greiser	Odegard	White
Hagen	Oglesby	Wick
Haines	Olson, Adams	Williams
Hofstrand	Olson, Bowman	Wolf
Holm		

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Huseby	Shure, Cass
Byrne	Just	Stray
Day	Langford	Thoreson
Dittmer	Savre	Traynor
Frazier	Schimke	Mr. Speaker
Holthusen		

So the bill passed and the title was agreed to.

Senate Bill No. 39. 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, 91; nays, 0; absent and not voting 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Bot'neau
Akland	Johnson	Peterson, Renville
Anderson	Jones	Peterson, Richland
Beasley	Jury	Pewe
Beaton	Kapaun	Rait

Messrs.	Messrs.	Messrs.
Beggs	Knudson, Steele	Ritter
Bieloh	Knutson, LaMoire	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Schauss
Black	Leum	Seibel
Brown	Levin	Semerad
Brusseau	Livingston	Severson
Caddell	McInnes	Shure, Cass
Dalzell	McIntee	Shurr, Bottineau
Day	Magill	Solberg
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, Sargent	Williams
Holmquist	Page	Wolf
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Hagen	Olson, McLean
Benno	Holthusen	Sand
Biberdorf	Huseby	Savre
Blair	Jensen	Schimke
Burgum	Just	Sticka
Byrne	LaBerge	Traynor
Dittmer	Langford	Mr. Speaker
Godwin		

So the bill passed and the title was agreed to.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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, 98; nays, 0; absent and not voting 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, Sargent
Akland	Hultstrand	Page
Anderson	Ireland	Peterson, Bot'neau
Anfinson	Jensen	Peterson, Renville
Beasley	Johnson	Peterson, Richland

Messrs.	Messrs.	Messrs.
Beaton	Jones	Pewe
Beggs	Jury	Rait
Bieloh	Kapaun	Ritter
Billigmeier	Knudson, Steele	Sand
Bjornson	Knutson, LaMoure	Sandness
Black	Krank	Saumur
Brown	Kraus	Savre
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dullea	McIntee	Symington
Fitch	Magill	Thompson
Frazier	Morland	Thoreson
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Nelson, Sargent	Twichell
Goodlaxon	Norheim	Urschel
Graham	Obach	Wendland
Greiser	O'Brien	White
Haines	Odegard	Wick
Hofstrand	Oglesby	Williams
Holm	Olson, Adams	Wolf
Holmquist	Olson, Bowman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Hagen	Schimke
Biberdorf	Huseby	Seibel
Blair	Just	Stray
Dittmer	Olson, McLean	Traynor
Godwin	Schauss	Mr. Speaker

So the bill passed and the title was agreed to.

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the House has amended.

Amendments are on page 1012, House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SECOND READING OF SENATE BILLS

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

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, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Johnson	Rait
Beaton	Jones	Ritter
Beggs	Jury	Sandness
Benno	Knudson, Steele	Sand
Biberdorf	Knutson, LaMoure	Saumur
Bieloh	Krank	Seibel
Billigmeier	Kraus	Semerad
Bjornson	LaBerge	Severson
Black	Langford	Shure, Cass
Brown	Leum	Shurr, Bottineau
Brusseau	Levin	Solberg
Byrne	Livingston	Sticka
Caddell	McIntee	Symington
Dalzell	Magill	Thompson
Day	Morland	Thoreson
Dittmer	Morris	Treffry
Dullea	Myers	Trydahl
Fitch	Niewoehner	Tuff
Frazier	Nelson, Sargent	Tweten
Frey	Norheim	Twichell
Gilberg	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Greiser	Odegard	White
Haines	Oglesby	Wick
Hofstrand	Olson, Adams	Williams
Holm	Olson, Bowman	Wolf
Holmquist	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Hagen	Peterson, Renville
Burgum	Huseby	Savre
Freitag	Just	Schauss
Frosaker	Kapaun	Schimke
Gessner	McInnes	Stray
Godwin	Nelson, Cass	Traynor
Graham	Olson, McLean	Mr. Speaker

So the bill passed and the title was agreed to.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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, 87; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sand
Biberdorf	Knutson, LaMoure	Sandness
Bieloh	Krank	Seibel
Billigmeier	Kraus	Semerad
Bjornson	Langford	Severson
Black	Leum	Shure, Cass
Brown	Levin	Shurr, Bottineau
Brusseau	Livingston	Solberg
Burgum	McInnes	Sticka
Caddell	McIntee	Symington
Day	Magill	Thompson
Dittmer	Morland	Thoreson
Dullea	Morris	Treffry
Fitch	Myers	Trydahl
Frazier	Niewoehner	Tuff
Frey	Nelson, Sargent	Tweten
Frosaker	Norheim	Urschel
Gilberg	Obach	Wendland
Goodlaxon	Odegard	White
Greiser	Oglesby	Wick
Haines	Olson, Adams	Williams
Hofstrand	Olson, Bowman	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Jury	Saumur
Byrne	Just	Savre
Dalzell	Kapaun	Schauss
Freitag	Knudson, Steele	Schimke
Gessner	LaBerge	Stray
Godwin	Nelson, Cass	Traynor
Graham	O'Brien	Twichell
Hagen	Olson, McLean	Mr. Speaker
Huseby	Peterson, Renville	

So the bill passed and the title was agreed to.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

## SENATE CONCURRENT RESOLUTION "U"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,  
THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Which the Senate has amended as follows:

On page 2, lines 13 and 14 of the printed bill, strike out the words "one member" and insert in lieu thereof "two members".

Very respectfully,  
THOMAS McDONALD,  
Secretary.

Mr. Page moved that the House do not concur in the Senate amendments to House Bill No. 29 and that the Speaker appoint a conference committee to act with a like committee from the Senate.

Which motion was lost.

Mr. Frazier moved that the House do concur in the Senate amendments to House Bill No. 29.

Which motion prevailed.

Mr. Niewoehner moved that the rules be suspended and that House Bill No. 29 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 90; nays, 5; absent and not voting 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Akland	Holmquist	Olson, Bowman
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Just	Ritter
Bieloh	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Seibel
Brown	Kraus	Semerad
Brusseau	LaBerge	Severson
Burgum	Langford	Shure, Cass
Dalzell	Leum	Shurr, Bottineau
Day	Levin	Solberg
Dittmer	Livingston	Sticka
Dullea	McIntee	Symington
Fitch	Magill	Thoreson
Frazier	Morland	Treffry
Freitag	Morris	Trydahl
Frey	Myers	Tuff
Frosaker	Niewoehner	Tweten
Gilberg	Nelson, Cass	Twichell
Goodlaxon	Nelson, Sargent	Wendland
Graham	Norheim	White
Greiser	Obach	Wick
Haines	Odegard	Williams
Hofstrand	Oglesby	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Peterson, Renville
Caddell	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Jury	Schimke
Byrne	McInnes	Stray
Gessner	O'Brien	Thompson
Godwin	Olson, McLean	Traynor
Hagen	Saumur	Urschel
Huseby	Schauss	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Tweten 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 SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 29.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Godwin moved that the House recess until 4:00 P. M., which motion prevailed.

#### AFTER RECESS

The House convened at 4:00 P. M., pursuant to recess, Speaker Dahl presiding.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

And the Speaker signed the same in the presence of the House.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Peterson, Bot'neau
Anderson	Holthusen	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Savre
Billigmeier	Kapaun	Seibel
Bjornson	Knudson, Steele	Semerad
Black	Knutson, LaMoure	Severson
Brown	Kraus	Shure, Cass
Brusseau	Langford	Shurr, Bottineau
Burgum	Leum	Solberg
Byrne	McIntee	Sticka
Caddell	Magill	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Niewoehner	Traynor
Frazier	Nelson, Cass	Treffry
Freitag	Nelson, Sargent	Tuff
Frosaker	Norheim	Tweten
Gessner	Obach	Twichell
Gilberg	O'Brien	Urschel
Godwin	Odegard	Wendland
Goodlaxon	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker
Holm	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	McInnes
Blair	Krank	Sand
Dalzell	LaBerge	Schauss
Frey	Levin	Schimke
Graham	Livingston	Trydahl

So the bill passed and the title was agreed to.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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, 100; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Ireland	Pewe
Beasley	Jensen	Rait
Beaton	Johnson	Ritter
Benno	Jones	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knudson, Steele	Schimke
Black	Krank	Seibel
Blair	Kraus	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McIntee	Sticka
Day	Magill	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Nelson, Cass	Traynor
Freitag	Nelson, Sargent	Treffry
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	Urschel
Godwin	Odegard	Wendland
Graham	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker
Holm	Page	
Holmquist	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.  
Beggs

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Niewoehner
Dalzell	Knutson, LaMoure	Schauss
Frey	LaBerge	Trydahl
Goodlaxon	McInnes	Twichell

So the bill passed and the title was agreed to.

Mr. Knutson 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. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

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, 104; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Page
Anderson	Holmquist	Peterson, Bot'neau
Anfinson	Holthusen	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Johnson	Rait
Benno	Jones	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Brusseau	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Nelson, Sargent	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Urschel
Godwin	O'Brien	Wendland
Goodlaxon	Odegard	White
Graham	Oglesby	Wick
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Schauss
Dalzell	LaBerge	Trydahl
Hultstrand	McInnes	Twichell

So the bill passed and the title was agreed to.

Mr. Jury moved that the vote by which Senate Bill No. 104 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, 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, 74; nays, 31; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Page
Akland	Jones	Peterson, Bot'neau
Anderson	Jury	Peterson, Renville
Anfinson	Just	Peterson, Richland
Beasley	Kapaun	Pewe
Beaton	Knudson, Steele	Rait
Beggs	Krank	Ritter
Benno	Kraus	Sand
Biberdorf	Langford	Sandness
Billigmeier	Leum	Saumur
Bjornson	Levin	Schimke
Black	Livingston	Shure, Cass
Burgum	McInnes	Shurr, Bottineau
Dullea	Magill	Sticka
Fitch	Morland	Stray
Frey	Morris	Symington
Frosaker	Myers	Thoreson
Gessner	Niewoehner	Treffry
Godwin	Nelson, Sargent	Trydahl
Graham	Norheim	Tweten
Hagen	Obach	Urschel
Haines	O'Brien	Wendland
Hofstrand	Olson, Adams	White
Holthusen	Olson, Bowman	Mr. Speaker
Hultstrand	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Holm	Savre
Blair	Holmquist	Seibel
Brown	Huseby	Semerad
Brusseau	Ireland	Severson
Byrne	Jensen	Solberg
Day	Knutson, LaMoure	Thompson
Dittmer	McIntee	Tuff
Frazier	Odegard	Twichell

Messrs.	Messrs.	Messrs.
Freitag	Oglesby	Wick
Goodlaxon	Olson, McLean	Williams
Greiser		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Caddell	LaBerge	Traynor
Dalzell	Nelson, Cass	Wolf
Gilberg	Schauss	

So the bill passed and the title was agreed to.

Mr. Peterson of Bottineau 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.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also:

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to pay the General Maintenance, and as an Offset for

Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Were delivered to the Governor for his approval at the hour of 4:50 o'clock P. M., February 26, 1937.

CARL H. DITTMER,  
Chairman.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

Which the Senate has amended as shown on page 673 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 84.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 84 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 102; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Akland	Holmquist	Olson, Bowman
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Page
Beasley	Huseby	Peterson, Bot'neau
Beaton	Ireland	Peterson, Renville
Beggs	Johnson	Peterson, Richland
Benno	Jones	Pewe
Biberdorf	Jensen	Rait
Bieloh	Jury	Ritter
Bjornson	Just	Sandness
Black	Kapaun	Saumur
Brown	Knudson, Steele	Savre
Brusseau	Knutson, LaMoure	Schimke
Burgum	Krank	Seibel
Byrne	Kraus	Severson
Caddell	Langford	Shure, Cass
Day	Leum	Shurr, Bottineau



Messrs.	Messrs.	Messrs.
Dittmer	Levin	Solberg
Dullea	Livingston	Sticka
Fitch	McInnes	Stray
Frazier	McIntee	Symington
Freitag	Magill	Thompson
Frey	Morland	Thoreson
Frosaker	Morris	Treffry
Gessner	Myers	Trydahl
Gilberg	Niewoehner	Tuff
Godwin	Nelson, Cass	Tweten
Goodlaxon	Nelson, Sargent	Urschel
Graham	Norheim	Wendland
Greiser	Obach	White
Hagen	O'Brien	Wick
Haines	Odegard	Williams
Hofstrand	Oglesby	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Billigmeier	Semerad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Olson, McLean	Traynor
Dalzell	Sand	Twichell
LaBerge	Schauss	Wolf

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Mr. Frazier 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.

#### MESSAGE TO THE SENATE

Senate Chamber,  
Bismarck, North Dakota.  
February 26, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 84.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return:  
House Bill No. 15. A Bill for an Act to Encourage the In-

vestment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources Through Interstate Pipe Lines, by Selling Therefrom to the State, County, and School Districts of Gas and Oil, Upon Condition that the Seller Purchase from Production or Produce in this State an amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Building, and Requiring Such Sellers to Make Reports of Its Sale and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof.

Which the Senate has amended as shown on page 926 of the Senate Journal and further amended as shown on page 1077 of the Senate Journal.

Very respectfully,

THOMAS McDONALD.

Secretary.

Mr. Twichell moved that action on the Senate Message regarding House Bill No. 15 be deferred one legislative day.

Mr. Ritter offered as a substitute motion that the House concur in the Senate amendments to House Bill No. 15.

The question being on Mr. Ritter's substitute motion, a division was called for and the motion was lost.

Mr. Godwin offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 15, and that a conference committee be appointed to act with a like committee from the Senate, which motion prevailed, and the Speaker appointed to such committee Representatives Morland, Day and Ritter.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 15, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Morland, Day and Ritter.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. President: I have the honor to inform you that the

House has refused to concur in the Senate amendments to House Bill No. 45 and the Speaker has appointed Representatives Frazier, Greiser and Morris to confer with a like committee from the Senate on the bill.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1937.

Mr. Speaker: I have the honor to return herewith the following resolution:

JOINT MEMORIAL RESOLUTION "B-1". (copies)

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Biberdorf moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Morris moved that the vote by which Senate Bill No. 185 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Federal Relations made the following report:

Mr. Speaker : Your Committee on Federal Relations to whom was referred:

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass as it came from the Senate.

E. J. DULLEA,  
Chairman.

Mr. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, 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, 81; nays, 21; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, McLean
Anderson	Jensen	Olson, Sargent
Anfinson	Johnson	Page
Beasley	Jones	Peterson, Bot'neau
Benno	Kapaun	Peterson, Richland
Biberdorf	Knudson, Steele	Pewe
Bieloh	Knutson, LaMoure	Rait
Billigmeier	Krank	Ritter

Messrs.	Messrs.	Messrs.
Bjornson	Kraus	Sand
Black	LaBerge	Sandness
Blair	Langford	Saumur
Brown	Leum	Schimke
Caddell	Levin	Semerad
Dalzell	Livingston	Severson
Day	McIntee	Shure, Cass
Dittmer	Magill	Shurr, Bottineau
Dullea	Morland	Sticka
Fitch	Morris	Stray
Frazier	Niewoehner	Symington
Gessner	Nelson, Cass	Thompson
Gilberg	Nelson, Sargent	Thoreson
Godwin	Norheim	Traynor
Goodlaxon	Obach	Trydahl
Graham	O'Brien	Urschel
Hagen	Odegard	Wendland
Haines	Olson, Adams	White
Holthusen	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Huseby	Treffry
Brusseau	Ireland	Tuff
Freitag	Just	Tweten
Greiser	Oglesby	Twichell
Hofstrand	Savre	Wick
Holm	Seibel	Williams
Holmquist	Solberg	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Frey	Myers
Beggs	Frosaker	Peterson, Renville
Burgum	Jury	Schauss
Byrne	McInnes	

So the bill passed and the title was agreed to.

Mr. Sand moved that the vote by which Senate Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Williams: I would like to see some of these higher institutions get along without some of these comforts. We farmers have to, and we're the boys that pay the bills.

Mr. Bieloh: I voted "aye" on this appropriation because this was the only school in the state that stood a cut of \$21,000.00. Therefore I voted "aye".

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, New Building and Equipment for the State School of Science at Wahpeton, 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, 84; nays, 21; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Anderson	Holthusen	Olson, Sargent
Anfinson	Huseby	Page
Beasley	Ireland	Peterson, Bot'neau
Beggs	Jensen	Peterson, Renville
Benno	Johnson	Peterson, Richland
Bieloh	Jones	Pewe
Billigmeier	Kapaun	Rait
Black	Knudson, Steele	Ritter
Blair	Krank	Sand
Brown	Kraus	Sandness
Burgum	LaBerge	Saumur
Byrne	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Frey	Myers	Thoreson
Frosaker	Niewoehner	Traynor
Gessner	Nelson, Cass	Treffry
Gilberg	Nelson, Sargent	Trydahl
Godwin	Norheim	Urschel
Graham	O'Brien	Wendland
Hagen	Odegard	Williams
Haines	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Hofstrand	Seibel
Biberdorf	Holmquist	Solberg
Bjornson	Knutson, LaMoure	Tuff
Brusseau	Magill	Tweten
Freitag	Obach	Twichell
Goodlaxon	Oglesby	Wick
Greiser	Olson, McLean	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Just	Schimke
Hultstrand	Savre	White
Jury	Schauss	

So the bill passed and the title was agreed to.

Mr. Johnson moved that the vote by which Senate Bill No. 54 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Holm: They have raised this \$57,049.00 over two years ago. I think that is too much altogether, and I vote "no".

Mr. Magill: I vote "no" on this bill. I think that some of our representatives here should try to practice a little economy within their own districts.

Mr. Williams: I think the school at Wahpeton has done more good for the men and women of the state than any other school in the state, and I vote "aye" on this bill.

Mr. Niewoehner: I voted "aye" because of the wonderfully fine training which this School of Science is giving to our young people of the state.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 2133 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Township Board of Review, Complaints and Grievances With Reference Thereto, and Providing for an Appeal to the Board of County Commissioners, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the second time.

Mr. Traynor moved that further consideration of Senate Bill No. 199 be indefinitely postponed.

Mr. Godwin offered as a substitute motion that action on Senate Bill No. 199 be deferred one legislative day.

The question being on Mr. Godwin's substitute motion a division was called for and the motion prevailed.

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Was read the second time.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Mrs. Archie O. Johnson, Mrs. Edgar Kapfer, W. J. Altringer, Mrs. W. J. Altringer, Mrs. Fred Orr, Mrs. Carl Larson, J. W. Riley, Bismarck; Mr. Mortenson, Frank Heimes, Valley City; Mrs. E. Wache, Mrs. P. G. Harrington, Bismarck; L. M. Peet, Des Moines, Ia.; Mrs. Chris Linnertz, Mr. Chris Linnertz, Minot; John P. Krank, Mrs. John P. Krank, Dickinson; Harry Polk, Williston; Bernice B. Fletcher, Kenmare, A. D. Morris, Ryder; E. A. Donnelly, Kenmare; L. K. Whalen, St. Thomas, Theo. Schmidt, Pat Johnson, Bismarck; Charley Delaney, Stanley Frank, Dickinson; Jake Basaraka, Wilton; James Slattery, Bismarck; C. R. Dalrymple, Fargo; Mr. Kellher, George Ionge, Garrison; Mrs. Ellen Anderson, Bis-

marck; Fred J. Peterson, Prosper; Mrs. D. C. Kierland, Bismarck; Mrs. R. W. Frazier, Crosby; Mrs. E. Isun, Wahpeton; Mrs. A. W. Schneckner, Granville; Mrs. A. Doerner, Leon Doerner, Bismarck; Arthur Balken, Bismarck; Jacob Frank, Napoleon; W. J. Helnig, Wishek; Mrs. H. E. Epping, Hope; H. C. Epping, Hope; Jacob Eisenbise, Wishek; Raymond Young, LaMoure; Mr. and Mrs. Fred M. Roberts, Jr., Bismarck; Kathryn Geiger, Bismarck; Mr. and Mrs. William "Bud" Rathbun, Crystal; V. E. Patterson, Grand Forks; H. H. Rurning, Jamestown; Mr. and Mrs. Andre Gratton, Walhalla; John Simila, Lakota; August Frenzel, Dickinson; John Fester, Medora; Frank Dreport, Dickinson; J. F. Fester, Medora; J. C. Eaton, Fargo; Peter Boreflog, Dickinson; Joe Gargoge, Dickinson; Thorwald Mostad, Minot; Otto Asplund, Bismarck; Floyd Jennings, Center; David Cannell, Glen Ullin; F. D. McCarty, Oakes; S. B. Erickson, Glen Ullin; F. D. Peterson, Prosper; Mrs. Martin Van Hale, Bismarck; Wm. J. Offet, Dickinson; Laudie Polinsky, Dickinson. and the eighth grade pupils of the St. Joseph School at Mandan, N. Dak., accompanied by their teachers Sister Paulette and Sister Lamberta O. S. B.: Bonnie Jean Blank, Leo Boehm, Wm. Brucker, Benjamin Diedrich, Catherin Dilger, Edward Eckroth, Irene Ereth, Harold Fix, Violet Fix, Gabriel Geiss, Margie Herner, Donald Hertz, Rose Hutmacher, Helen Knoll, Pauline Koch, Nicholas Koch, Florence Kraft, William Kuntz, Mary Lantz, Matilda Makelke, Hildegard Messmer, Robert Messmer, John Norby, Frances Reisenauer, Robert Schafer, Margaret Schlosser, Joseph Schmidt, Michael Weber, Helen Winbauer, Katherine Zueger, Eva Boespflug, Frances Storiek, Sister Paulette, Sister Lamberta, Celia Berger, Peter Bernhardt, Wm. Boehm, Genevieve Diedrich, Anton Doll, Ralph Eckroth, Clara Ferderer, Dolores Haider, Adam Geiss, Anna Hoffman, Richard Isle, Cecelia Knoll, Irene Knoll, Magdalen Kuntz, Marian Lanz, John Leingang, Dorothy Loveland, Richard Lubke, Anna Meininger, James Myers, Caroline Rambur, Anton Schaaf, Anna Mary Schaff, Eugene Schaff, Marian Siegel, Anton Koch.

Mr. Twichell moved that the House recess until 12:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.



FIFTY-THIRD DAY AFTER RECESS AND  
FIFTY-FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

The House convened at 12:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House reconsider the action by  
which Senate Bill No. 45 was indefinitely postponed.

Mr. Treffry moved the previous question, which motion  
prevailed.

The question being on the motion of Mr. Fitch, the mo-  
tion was lost.

GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a Com-  
mittee of the Whole for the consideration of general orders;  
which motion prevailed.

The Speaker called Mr. Fitch to the chair, and the House  
resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following re-  
port:

Mr. Speaker: The Committee of the Whole have had under  
consideration:

Senate Bill No. 256. A Bill for an Act to Amend and Re-  
tract Sections 4 and 28 of Chapter 157 of the Session Laws  
of North Dakota for 1927, Relating to the Occupation of  
Hairdressers and Cosmetologists, the Conduct of Schools for  
Hairdressers and Cosmetologists, and to Provide Penalties  
for Violation Thereof.

And recommend the adoption of the Standing Committee's  
amendments as follows:

On original bill, page 2, subsection e, line 6 after the word "instructors", strike out the period (.) and insert the following: "and it is expressly provided that no school of hairdressing or cosmetology shall make any charge for any services or material which is covered and included within the practice of hairdressing or cosmetology, and which may be rendered by any student in such school except the actual cost of material used."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 3, which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$8,220.00" and insert in lieu thereof the figures "\$7,220.00".

In the engrossed bill, line 9, which is page 1, line 11, of the printed bill, strike out the figures "\$3,200" and insert in lieu thereof the figures "\$3,000.00".

In the engrossed bill, line 12, which is page 2, line 14 of the printed bill, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$300.00".

In the engrossed bill, line 13, which is page 2, line 15 of the printed bill, strike out the figures "\$150.00" and insert in lieu thereof the figures "\$100.00".

In the engrossed bill, line 15, which is page 2, line 17 of the printed bill, strike out the figures "\$350.00" and insert in lieu thereof the figures "\$300.00".

In the engrossed bill, line 17, which is page 2, line 19, of the printed bill, strike out the figures "1,200.00" and insert in lieu thereof the figures "900.00".

In the engrossed bill, line 18, which is page 2, line 20 of the printed bill, strike out the figures "800.00" and insert in lieu thereof the figures "500.00".

In the engrossed bill, line 19, which is page 2, line 22 of the printed bill, strike out the figures "\$8,220.00" and insert in lieu thereof the figures "7,220.00".

And when so amended recommend the same do pass.

K. A. FITCH,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

## REPORT OF STANDING COMMITTEES

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Semerad moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Wendland moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Have had the same under consideration and recommend that the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Bieloh moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 183. A Bill for an Act to Authorize and Empower the Public Welfare Board to Borrow Money from the Bank of North Dakota, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 218. A Bill for an Act Providing for the Payment of a Bounty on Crows.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. P. JENSEN,  
Chairman.

Mr. Peterson of Renville moved that the report be adopted,

Mr. Solberg offered as a substitute motion that Senate Bill No. 248 be recommended for passage.

Mr. Freitag moved the previous question, which motion prevailed.

The question being on the substitute motion of Mr. Solberg, the motion prevailed.

Mr. Peterson of Renville moved that Senate Bill No. 248 be placed in General Orders for the purpose of amendment.

Which motion prevailed.

The Committee on Banks and Banking made the following report:

Mr. Speaker: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JAMES G. THORESON,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

Have had the same under consideration and recommend that the same be amended as follows:

On original bill in the title line 3, strike out the comma after the word "institutions" and insert in lieu thereof the word "or", at the end of that line, strike out the words "or enterprises".

Section 1, line 1 after the word institution, strike out the comma and insert in lieu thereof the word "or", at the end of that line and the beginning of line 2, strike out the words "or enterprise".

On line 4, strike out the comma after the word "institution" and insert in lieu thereof the word "or", and strike out the words "or enterprises".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Confering Additional Power Upon Municipalities; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Have had the same under consideration and recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 181. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 193 of the 1933 Session Laws Relating to the Appointment of a Manager and Other Employees of the State Mill and Elevator.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Haines moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Wolf moved that the vote by which Senate Bill No. 181 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 227. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association; Providing for the Creation of the Board of Managers and Defining Its Powers, Duties, and Qualifications to Such Board; Providing for the Appointment of an Auditor and for the Filling of Vacancies on Such Board; Providing for Removal of Members of Such Board; Providing for the Organization of Such Board and the Matter of Conducting Business; Providing Procedure in Actions Brought Against Such Association; Providing for Employees and Bonds; Providing for Examination by the State Examiner and Repealing Chapter 268 of Session Laws of 1931 and Chapter 193 of the Session Laws of 1933.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Frietag moved that the vote by which Senate Bill No. 227 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "H".

Have had the same under consideration and recommend that the same be amended as follows:

On original Resolution, Section 173, line 7, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

On line 10 strike out the words and figures "six thousand (6,000)" and insert in lieu thereof the words "nine thousand".

On line 14 beginning with the word "Any" strike out the balance of the resolution.

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused, which motion prevailed.

Mr. Godwin moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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#### FIFTY FOURTH DAY

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Frank Larson of Mandan.

The roll was called, and all members were present except Representatives Beggs, Dittmer, Holthusen, Hultstrand, Kapaun, Knutson of LaMoure, Levin, Nelson of Cass, Nelson of Sargent, Oglesby, Peterson of Renville, Ritter, Schimke and Williams.

So a quorum was declared present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 52nd day after recess and 53rd day and recommend that the same be corrected as follows:

Page 1477, line 55, insert "The Speaker called Mr. Fitch to the chair".

Page 1479, line 3, strike out the word "engrossed" and insert in lieu thereof the word "re-engrossed".

Strike out the message from the Senate on page 1504.

Strike out the Message to the Senate on Page 1498.

On page 1503 strike out lines 51, 52, 53 and 54.

Page 1476, line 29, strike out "paid" and insert "laid".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Petition signed by fourteen residents of Pierce County opposing House Bill No. 216.

## SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that the vote by which Senate Bill No. 185 was indefinitely postponed be reconsidered. A division was called for and the motion was lost.

## REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Elections of Officers of Special School Districts and Prescribing Qualifications therefor, and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of All Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 77. A Bill for an Act Making an Appropria-

tion to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court of State Training School, Without Order of the Juvenile Court or Superintendent of the State Training School; for the Annulment of Such Marriage; and Prescribing Penalties.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Also,

#### HOUSE CONCURRENT RESOLUTION "O":

WHEREAS, press reports have indicated that the Commission attending the Pan-American Peace Conference is favorable to the importation of unsterilized meats and meat products from certain South American countries, and

WHEREAS, it has been stated that foot and mouth disease does not exist in certain areas of South America, and

WHEREAS, it is known that foot and mouth disease and other transmissible diseases of livestock which do not exist in the United States are ever prevalent in those South American countries, and

WHEREAS, the prevention and control of livestock diseases in those South American countries is not comparable to the standards of the United States and is in fact practically negligible, and

WHEREAS, the United States has spent millions of dollars in the eradication of foot and mouth diseases brought into this country through livestock products of foreign origin, and

WHEREAS, the livestock industry in the United States has likewise suffered losses totalling millions of dollars from outbreaks of foot and mouth disease, and

WHEREAS, an embargo is now in effect on importations of livestock and unsterilized livestock products from these South American countries, and

WHEREAS, the raising of such an embargo would immediately and seriously jeopardize the nation's livestock industry as well as the public health of its citizens,

Also,

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Elections of Officers of Special School Districts and Prescribing Qualifications therefor, and Declaring an Emergency.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Adam moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Thompson moved that the report be adopted, which motion prevailed and the report was adopted.

The majority members of the committee on State Affairs made the following report:

Mr. Speaker: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. WILLIAMS  
H. R. FREITAG  
F. J. HAINES  
ROB. GREISER  
JAMES CADDELL  
EDWIN TRAYNOR  
L. L. TWICHELL  
VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted.

The minority members of the committee on State Affairs made the following report:

Mr. Speaker: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Have had the same under consideration and recommend that the same do pass.

ED. McINTEE  
GEO. H. SAUMUR  
L. R. BURGUM  
JOS. D. BYRNE  
CHAS. H. BLACK

Mr. Burgum moved that the report of the minority be substituted for that of the majority.

Which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Also,

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

Also,



Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 2166 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 of the Session Laws of North Dakota for 1929, and as Amended by Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2169 and Section 2175 of the Compiled Laws of North Dakota for 1913; and Section 2178 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 122 of the Session Laws of North Dakota for 1935, Providing for the Delinquency of Personal Property Taxes, the Penalty Thereon and the Collection Thereof by the County Treasurer; Providing for a Lien for Delinquent Personal Taxes; Providing for Delinquent Tax Lists and the Duties of the Board of County Commissioners in Connection Therewith; Providing for the Duties of the County Treasurer and for His Neglect or Refusal to Perform His Duty in Connection Therewith, and for a penalty; Providing for the Fees for the Sheriff, or County Treasurer in Making Distress for Personal Taxes; Repealing Sections 2167, 2168 and 2173 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 2, 3 and 8 of Chapter 135, of the Session Laws of 1935, Relating to the Election of Presidential Electors, Precinct Committeemen; Delegates to National Conventions, National Committeemen and Committeewomen; for organization of County and State Committees, of Political Parties.

Also,

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 951, Compiled Laws of North Dakota of the Year 1913, as Amended by Chapter 136 of the Session Laws of 1927; Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

Also,

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Section 2093 of the Supplement to the Compiled Laws of 1913, Defining Manner of Listing Real and Personal Property and Declaring an Emergency.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 959 of the Supplement to the Compiled Laws of 1913 Relating to Election Ballots.

Also,

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the

Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Also,

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 3839 of the Compiled Laws of North Dakota for the Year 1913.

Also,

CONCURRENT RESOLUTION "L"

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Also,

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Also,

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 130. A Bill for an Act for the Judicial

Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Also,

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

HOUSE CONCURRENT RESOLUTION "K".

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 275. 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.

Also,

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Also,

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

Also,

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social

Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to the Provisions of This Act.

Also,

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of Delinquent Personal Property Taxes and Prescribing the Duties of the County Treasurer and Sheriff in Connection With the Collection Thereof.

Also,

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

Also,

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## REPORT OF STANDING COMMITTEES

The majority members of the committee on State Affairs made the following report:

Mr. Speaker: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. WILLIAMS  
H. R. FREITAG  
F. J. HAINES  
ROB. GREISER  
JAMES CADDELL  
EDWIN TRAYNOR  
L. L. TWICHELL  
VAL P. WOLF,  
Chairman.

Mr. Greiser moved that the report be adopted.

The minority members of the committee on State Affairs made the following report:

Mr. Speaker: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

ED. McINTEE  
GEO. H. SAUMUR  
L. R. BURGUM  
JOS. D. BYRNE  
CHAS. H. BLACK

Mr. Burgum moved that the report of the minority be substituted for the report of the majority.

Which motion prevailed.

The majority members of the committee on Judiciary made the following report:

Mr. Speaker: A majority of your committee on Judiciary to whom was referred:

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative

Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

W. H. SHURE  
 J. D. HOLTHUSEN  
 H. B. KNUDSON  
 L. L. TWICHELL  
 O. R. LABERGE  
 C. P. GILBERG  
 EDW. SAVRE,  
 Chairman.

Mr. Shure of Cass moved that the report be adopted.

The minority members of the committee on Judiciary made the following report:

Mr. Speaker: A minority of your committee on Judiciary to whom was referred:

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. W. TREFFRY  
 HARVEY BRUSSEAU  
 GUST TWETEN  
 ROBERT RAIT

Mr. Byrne offered as a substitute motion that Senate Bill No. 143 be referred to General Orders, which motion was lost.

Mr. Godwin offered as a substitute motion that further action on Senate Bill No. 143 be deferred one legislative day.

A division was called for, and the motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that action on Senate Bill No. 154 be deferred one legislative day, which motion prevailed.

Mr. Beggs moved that Senate Bill No. 161 be transferred from the State Affairs Committee to the Committee on Appropriations.

Which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "T".

Introduced by the Joint Committee on Employment.

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That S. B. Salveson and Theo. Thompson, mailing clerks of the Senate, and H. C. Epping and Gudlip Deide, mailing clerks of the House, of the Twenty-fifth Legislative Session, be retained for five days after the close of this session to complete sending Senate and House Journals of the last days of the session; and F. B. Sharkey, proofreader in the House and H. W. Anderberg, proofreader in the Senate be retained for two days after the close of the session to finish proofreading the Journals of the House and Senate for the last day of this Twenty-fifth Legislative Assembly; and that Clarence Anderson and Edward Osowski, pages of the Senate, and Kenneth Morgan and Wm. Rathburn, pages of the House, be retained for two extra days after the close of the session for the purpose of wrapping and either mailing or expressing to the members of the Senate and House, bill books, Journals, reports and files; and that Marie Garske and Mabel Engeseth, stenographers in the House, and Jennie Fisher and Ruth Smith, stenographers in the Senate, be retained for one extra day for the purpose of taking care of legislators' correspondence.

BE IT FURTHER RESOLVED, that each of the above named employees, to-wit: S. B. Salveson and Theo Thompson and H. C. Epping and Gullip Deide as mailing clerks, be paid for said additional five days the sum of \$4.50 per day; and F. B. Sharkey and H. W. Anderberg, proofreaders be paid the sum of \$5.00 per day for two days; that Clarence Anders, Ed. Osowski, Kenneth Morgan and Wm. Rathbun as pages be paid the sum of \$4.50 per day for said additional two days; that Marie Garske, Mabel Engeseth, Jennie Fisher and Ruth Smith as stenographers be paid the sum of \$5.00 per day for said one extra day; all the above to be paid as other legislative expense and paid when the respective claims are verified by the affidavits of said parties herein named, at the completion of such work.

Mr. Beaton moved that the Resolution be adopted.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "T", the roll was called and there were ayes, 102; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anderson	Jensen	Peterson, Richland
Anfinson	Johnson	Pewe
Beasley	Jones	Rait
Beaton	Just	Ritter
Beggs	Kapaun	Sand
Benno	Knudson, Steele	Sandness
Biberdorf	Knutson, LaMoure	Saumur
Bieloh	Krank	Savre
Billigmeier	Kraus	Schauss



Messrs.	Messrs.	Messrs.
Bjornson	LaBerge	Schimke
Black	Leum	Semerad
Brown	Levin	Severson
Brusseau	Livingston	Shure, Cass
Burgum	McInnes	Shurr, Bottineau
Caddell	McIntee	Solberg
Dalzell	Magill	Sticka
Day	Morland	Stray
Dittmer	Morris	Symington
Fitch	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Goodlaxon	Obach	Tuff
Graham	O'Brien	Tweten
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Hofstrand	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	Mr. Speaker
Hultstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Frazier	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Godwin	Langford
Dullea	Jury	Seibel
Freitag		

So the resolution was adopted.

Mr. Traynor moved that Mr. Wick be permitted to pass.

Which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "U".

Introduced by Senator Strehlow.

Providing for a resolution memorializing the Congress of the United States and the Congressional Delegation from the State of North Dakota, and the Secretary of Agriculture of the United States, to pass a Bill in Congress known as H. R. 4009, authorizing the appropriation of \$50,000,000 to aid the various States in their fight of noxious weeds,

Was read.

Mr. Wolf moved that the Resolution be adopted, which motion prevailed and Senate Concurrent Resolution "U" was adopted.

## REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 3 which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$26,400.00" and insert in lieu thereof the figures "\$15,000.00".

In the engrossed bill, line 10 which is page 2, lines 12 and 13 of the printed bill, strike out the words "General Administration (Commissioner, Clerk and Miscellaneous)" and strike out the figures "\$8,400.00".

In the engrossed bill, line 11 which is page 2, line 14 of the printed bill, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

In the engrossed bill, line 13 which is page 2, line 16 of the printed bill, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

In the engrossed bill, line 15 which is page 2, line 18 of the printed bill, strike out the figures "7,000.00" and insert in lieu thereof the figures "6,000.00".

In the engrossed bill, line 17 which is page 2, line 21 of the printed bill, strike out the figures "\$26,400.00" and insert in lieu thereof the figures "\$15,000.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 244. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Land and/or Materials to Be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted.

Mr. O'Brien offered as a substitute motion that Senate Bill No. 244 be indefinitely postponed, which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Leum moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Re-

tirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

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, providing for the issuance by the Industrial Commission of Certificates of Indebtedness in anticipation of the collection of property taxes, which have been levied by the State Board of Equalization; prescribing the terms and conditions hereof; providing for their sale and delivery and payment; establishing a Certificate of Indebtedness Retirement Fund, and repealing all acts or parts of acts inconsistent with the provisions of this act, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

SECTION 1. The Industrial Commission shall have power, from time to time, to borrow in anticipation of revenues to be derived from property taxes already levied by the State Board of Equalization for the current year, and the five next preceding years. Such power, however, can be exercised only in accordance with the provisions of this act. For the purpose of such borrowing the Industrial Commission shall issue Certificates of Indebtedness.

Certificates of Indebtedness as provided for in this act shall be sold only against that portion of the uncollected general property State Tax levied by the State Board of Equalization, to defray the general expenses of the State Government, known as the general fund, and no certificates shall be sold under this act against uncollected taxes levied for interest and sinking funds. A Certificate of Indebtedness shall consist of an agreement on the part of the State of North Dakota to pay a stated sum on a specified date not more than twenty-four months in the future, together with interest thereon, at a specified rate not exceeding four per cent per annum, which may be made payable semi-annually, which certificate shall be signed on behalf of the State by the Governor and also by the State Treasurer, and such certificates shall be payable primarily out of funds derived from the collection of the taxes as herein provided. Certificates of Indebtedness shall bear the certificate of the State Auditor to the effect that they, together with all other Certificates of Indebtedness outstanding, are within seventy-five per cent of the amount of uncollected taxes for the years enumerated in such certificates which have been lawfully levied. Such certificates shall possess no validity unless they bear such certificate of the State Auditor. It shall be the duty of the State Auditor to make such certificate in accordance with the facts. When so executed with the prescribed certificate signed by the State Auditor, Certificates of Indebtedness shall be fully negotiable and shall be incontestable except on the ground of fraud on the part of the holder or

original payee, or connivance between the holder or the original payee and officer or officers of the State. In the hands of the holder in due course, the execution of a Certificate of Indebtedness by the State under this act, shall be conclusive evidence that the issuance thereof was duly authorized by the Industrial Commission of the State. A tax under this act, shall be deemed to have been levied when it has been voted by the State Board of Equalization and certified by the Tax Commissioner.

That State Auditor shall, at the time of attaching his certificate to certificates of indebtedness, register such certificates of indebtedness in the permanent records of his office. He shall also inform the State Treasurer of such registration, and the State Treasurer shall likewise keep a permanent record of such certificates of indebtedness.

After certificates of indebtedness are paid and cancelled they shall be exhibited to the State Auditor, who shall note the cancellation and payment upon his records, whereupon said certificates shall be properly cancelled by the State Treasurer in the presence of the State Auditor, and filed in the office of the State Treasurer.

SECTION 2. After the sale of such certificates of indebtedness, all tax receipts derived from the said taxes levied for the years listed in such certificates shall be by the State Treasurer set aside into a separate fund to be known as the Certificate of Indebtedness Retirement Fund, which is to be used only for the purpose of retiring such certificates of indebtedness and paying interest thereon until sufficient funds shall have accumulated to retire such certificates. Certificates of Indebtedness shall cease to bear interest at maturity; provided, however, that certificates not paid upon presentation at or after maturity shall bear interest from maturity until paid at the same rate as before maturity.

If the amount in Certificate Retirement Fund is insufficient to redeem certificates on maturing dates of said certificates, the Industrial Commission shall issue new certificates, the proceeds from sale of which to be used to retire maturing certificates.

SECTION 3. SALE OF CERTIFICATES OF INDEBTEDNESS; BANK OF NORTH DAKOTA TO BUY SAME; DISPOSITION OF PROCEEDS.) The Industrial Commission shall sell said certificates of indebtedness for cash on such terms and conditions as it shall determine, but in no event for less than par plus accrued interest, and on no terms conflicting with the provisions of this Act. All Certificates must be sold by the Industrial Commission in the open market or upon sealed bids, upon at least twenty days' notice by publication in not less than two newspapers published in this State. Provided the Industrial Commission reserve the right to reject any and all bids and if no bids are received for such certificates the Industrial Commission may deliver the same to the Bank of North Dakota, which shall pay for such certificates the par value thereof plus accrued

interest. The proceeds from such sale of said certificates shall be paid to the State Treasurer.

Out of the moneys developing from sale of certificates, the Industrial Commission is hereby directed, authorized and empowered, from time to time, to transfer to the State Public Welfare Fund for use by the Public Welfare Board in carrying out the duties and powers imposed upon it by law, such moneys, not exceeding One Million Dollars, as said Industrial Commission, in its discretion, may determine are available or may become available after making provision for the payment of the unpaid appropriations from General Fund appropriated for the 1935-1937 biennium.

SECTION 4. The Certificates of Indebtedness issued under this Act shall not be general obligations of the State of North Dakota except to the extent only that the State of North Dakota shall guarantee to pay any deficiency in principal and interest due and payable thereon which may exist at the maturity of such certificates or any renewal thereof in an aggregate amount of not to exceed Two Million Dollars.

SECTION 5. All Acts or parts of Acts in conflict herewith are hereby repealed.

SECTION 6. This Act is hereby declared to be an emergency Act and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Sections Three (3) and Six (6) of Chapter 116 of the Session Laws of 1927, Relating to the Furnishing of Seed and Feed by Counties, and Declaring an Emergency.

Also

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court or State Training School, Without Order of the Juvenile Court.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts in Conflict.

Also,

HOUSE CONCURRENT RESOLUTION "O".

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to inform you that the Senate Journal, page 1077, showing the amendments to House

Bill 15 has been corrected to read as follows: In line 36 strike out the figure "4" and insert the figure "2".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the conference committee appointed to consider House Bill No. 15 be discharged, which motion prevailed and the committee was discharged.

Mr. Ritter moved that the House concur in the Senate amendments to House Bill No. 15.

Which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 15 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 77; nays,, 22; absent and not voting, 13; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jones	Pewe
Akland	Jury	Ritter
Anderson	Just	Sand
Anfinson	Kapaun	Sandness
Beaton	Knudson, Steele	Saumur
Benno	Knutson, LaMoure	Savre
Biberdorf	Krank	Schauss
Bieloh	LaBerge	Seibel
Billigmeier	Langford	Semerad
Black	Leum	Severson
Brown	Livingston	Shurr, Bottineau
Brusseau	McInnes	Solberg
Caddell	McIntee	Sticka
Dalzell	Morland	Symington
Day	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Godwin	Nelson, Sargent	Treffry
Greiser	Obach	Trydahl
Hagen	Odegard	Tuff
Haines	Oglesby	Urschel
Holmquist	Olson, Adams	Wendland
Holthusen	Olson, Bowman	White
Hultstrand	Olson, Sargent	Williams
Huseby	Peterson, Bot'neau	Wolf
Ireland	Peterson, Renville	Mr. Speaker
Johnson	Peterson, Richland	



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	O'Brien
Beggs	Hofstrand	Page
Burgum	Jensen	Shure, Cass
Dittmer	Kraus	Thompson
Dullea	Levin	Tweten
Freitag	Morris	Twichell
Frey	Myers	Wick
Gessner		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Gilberg	Olson, McLean
Blair	Goodlaxon	Rait
Byrne	Graham	Schimke
Fitch	Norheim	Stray
Frazier		

Passed:

Messrs.  
Magill

So the bill passed and the title was agreed to.

Mr. Olson of Bowman moved that the vote by which House Bill No. 15 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 15.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 45, Senators Watt, Guenther and Drew.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 357.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House return House Bill No. 357 to the Senate in accordance with the request of the Senate.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Aforesaid, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

As per your request.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Godwin moved that the House recess until 4:15 P. M., which motion prevailed, and the House recessed.

AFTER RECESS

The House convened at 4:15 P. M., pursuant to recess, Speaker Dahl presiding.

REPORT OF STANDING COMMITTEES

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 63. A Bill for an Act Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and an Inspector of Said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys

Collected by Said Regulatory Department. Providing for the Duties of Said Director, Assistant Director and Inspector of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith, the Enforcement of Said Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes and Providing for the Distribution of the Moneys Collected by the Regulatory Department to the Counties and State Equalization Fund. Repealing All Acts and All Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted.

Mr. Solberg offered as a substitute motion that Senate Bill No. 63 be placed on the calendar.

A division was called for and the motion lost.

The question being on the original motion of Mr. Fitch, the motion prevailed, and Senate Bill No. 63 was indefinitely postponed.

Mr. Freitag moved that the vote by which Senate Bill No. 63 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Schauss moved that the report be adopted.

Mr. Day offered as a substitute motion that Senate Bill No. 163 be placed on the calendar.

Which motion was lost.

The question being on the original motion, the motion prevailed, and Senate Bill No. 163 was indefinitely postponed.

Mr. Schauss moved that the vote by which Senate Bill No.

163 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 168. A Bill for an Act to Create, Define and Establish "Airmen's Association of the State of North Dakota," Providing for the Creation of a Fund for the Use of Said Association to be Known as "Airmen's Aviation Fund."

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

Mr. Olson of Bowman offered as a substitute motion that Senate Bill No. 168 be placed on the calendar, which motion was lost.

The question being on Mr. Seibel's original motion, the motion prevailed and Senate Bill No. 168 was indefinitely postponed.

Mr. Knutson of LaMoure moved that the vote by which Senate Bill No. 168 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 196. A Bill for an Act to Amend Section 6 of Chapter 85 of the Session Laws for the Year 1929, Relating to the Licensing of Airmen and Aircraft; Making Violation Thereof a Misdemeanor, and Providing the Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring This Act to Be an Emergency Measure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

Mr. Olson of Bowman offered as a substitute motion that Senate Bill No. 196 be placed on the calendar, which motion was lost.

The question being on the original motion of Mr. Seibel, the motion prevailed, the report was adopted, and Senate Bill No. 196 was indefinitely postponed.

Mr. Fitch moved that the vote by which Senate Bill No. 196 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 58, 52, 22, 119, 5 and 57.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 205. A Bill for an Act Empowering the State Public Health Advisory Council to Make, Amend, Repeal and Suspend Public Health Regulations Concerning the Production, Transportation, Processing, Handling, Sampling, Examination, Grading, Labeling, Regrading, and Sale of Milk and Milk Products, the Inspection of Health Certificates on Dairy Herds, Dairies and Milk Plants.

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 236. A Bill for an Act Prohibiting the Admission of Any Minor Into Any Retail Liquor Store in the State of North Dakota Holding an "On Sale" License Under the Provisions of the Liquor Control Act of This State, and Requiring Rigid Enforcement of This Act by Police Officials and State's Attorneys, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

Mr. Burgum offered as a substitute motion that Senate Bill No. 236 be placed on the calendar. A division was called for and the motion was lost.

The question being on the original motion of Mr. Seibel, the motion prevailed, the report was adopted, and Senate Bill No. 236 was indefinitely postponed.

Mr. Schauss moved that the vote by which Senate Bill No. 236 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Corporations Other than Municipal made the following report:

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred:

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Sub-section 19 of Section 3861 of the Compiled Laws of North Dakota for the Year 1913, Relating to Penalties Imposed for Violation of Village Ordinances; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

W. O. BIBERDORF,  
Chairman.

Mr. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

## SECOND READING OF SENATE BILLS

Mr. Godwin asked the unanimous consent of the House to amend Senate Bill No. 101 by inserting the word "Dakota" after the word "North" in the enacting clause, which consent was granted.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 101 be considered properly re-engrossed and placed on 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, 99; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, McLean
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Jones	Ritter
Billigmeier	Jury	Sand
Black	Just	Sandness
Blair	Knudson, Steele	Saumur
Brown	Knutson, LaMoure	Savre
Brusseau	Kraus	Schauss
Burgum	LaBerge	Schimke
Byrne	Langford	Seibel
Caddell	Leum	Semerad
Day	Levin	Severson
Dittmer	Livingston	Shurr, Bottineau
Dullea	McIntee	Solberg
Fitch	Magill	Sticka
Frazier	Morland	Symington
Freitag	Morris	Thompson
Frey	Myers	Thoreson
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tuff
Goodlaxon	Norheim	Tweten
Graham	Obach	Urschel
Greiser	O'Brien	Wendland
Hagen	Odegard	White
Haines	Oglesby	Wick
Hofstrand	Olson, Adams	Williams
Holm	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dalzell	Page	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Kapaun	Stray
Bieloh	Krank	Traynor
Bjornson	McInnes	Twichell
Gilberg	Shure, Cass	

So the bill passed and the title was agreed to.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections 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, 101; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beggs	Johnson	Rait
Benno	Jones	Sand
Biberdorf	Jury	Sandness
Billigmeier	Just	Saumur
Black	Knudson, Steele	Savre
Blair	Knutson, LaMoure	Schauss
Brown	Kraus	Schimke
Brusseau	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tuff
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Oglesby	White
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Those voting in the negative were:

Messrs.  
Beaton

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Ritter
Bieloh	Kapaun	Shure, Cass
Bjornson	Krank	Stray
Hofstrand	McInnes	

So the bill passed and the title was agreed to.

Mr. Page 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. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and 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, 54; nays, 47; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Greiser	Olson, Sargent
Beggs	Hagen	Peterson, Renville
Benno	Haines	Peterson, Richland
Billigmeier	Hofstrand	Sand
Black	Holthusen	Saumur
Brown	Johnson	Schauss
Brusseau	Jones	Schimke
Byrne	Jury	Seibel
Day	Just	Severson
Dullea	Kraus	Sticka
Fitch	LaBerge	Traynor
Freitag	Livingston	Trydahl
Frey	McIntee	Tuff
Frosaker	Magill	Tweten
Gessner	Morris	Twichell
Gilberg	Nelson, Cass	White
Godwin	O'Brien	Wick
Graham	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Pewe
Anderson	Knutson, LaMoure	Rait
Beasley	Langford	Sandness
Beaton	Leum	Savre
Biberdorf	Levin	Semerad
Blair	Morland	Shurr, Bottineau
Burgum	Myers	Solberg
Caddell	Niewoehner	Symington
Dalzell	Norheim	Thompson
Dittmer	Obach	Thoreson
Frazier	Odegard	Treffry
Goodlaxon	Oglesby	Urschel

Messrs.	Messrs.	Messrs.
Holm	Olson, Adams	Wendland
Holmquist	Olson, McLean	Williams
Hultstrand	Page	Wolf
Huseby	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Kapaun	Nelson, Sargent
Bieloh	Knudson, Steele	Ritter
Bjornson	Krank	Shure, Cass
Jensen	McInnes	Stray

So the bill lost.

Mr. Wolf moved that the vote by which Senate Bill No. 151 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, 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, 95; nays, 6; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, McLean
Anderson	Hultstrand	Olson, Sargent
Anfinson	Huseby	Peterson, Bot'neau
Beaton	Ireland	Peterson, Renville
Beggs	Johnson	Peterson, Richland
Benno	Jones	Pewe
Biberdorf	Jury	Rait
Billigmeier	Just	Ritter
Black	Knudson, Steele	Sand
Blair	Knudson, LaMoure	Sandness
Brown	Kraus	Saumur
Brusseau	LaBerge	Savre
Byrne	Langford	Semerad
Caddell	Leum	Schauss
Dalzell	Levin	Schimke
Day	Livingston	Seibel
Dittmer	McInnes	Severson
Dullea	McIntee	Shurr, Bottineau
Frazier	Magill	Solberg
Freitag	Morland	Sticka
Frosaker	Morris	Symington
Gessner	Myers	Thompson

Messrs.	Messrs.	Messrs.
Gilberg	Niewoehner	Thoreson
Godwin	Nelson, Cass	Treffry
Goodlaxon	Nelson, Sargent	Trydahl
Graham	Norheim	Tuff
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Odegard	Wendland
Hofstrand	Oglesby	Williams
Holm	Olson, Adams	Mr. Speaker
Holmquist	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Twichell	Wick
Traynor	White	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Burgum	Kapaun
Beasley	Fitch	Krank
Bieloh	Frey	Shure, Cass
Bjornson	Jensen	Stray

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Adam moved that the vote by which Senate Bill No. 151 was lost be reconsidered.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 151 be placed at the foot of the calendar.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, 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, 97; nays, 4; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe

Messrs.	Messrs.	Messrs.
Beaton	Johnson	Rait
Beggs	Jones	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Billigmeier	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Schimke
Brusseau	Langford	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shurr, Bottineau
Caddeli	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Wolf
Holm	Page	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dittmer	Seibel	Treffry
Livingston		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Frey	Nelson, Sargent
Bieloh	Jensen	Odegard
Bjornson	Kapaun	Shure, Cass
Dullea	Krank	Stray

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Morris 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. 76. 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, the roll was called and there were ayes, 100; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Johnson	Ritter
Beaton	Jones	Sand
Beggs	Jury	Sandness
Benno	Knudson, Steele	Saumur
Biberdorf	Knutson, LaMoure	Savre
Billigmeier	Kraus	Schauss
Black	LaBerge	Schimke
Brown	Langford	Seibel
Brusseau	Leum	Semerad
Byrne	Levin	Severson
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Nelson, Cass	Traynor
Frey	Nelson, Sargent	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Godwin	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Graham	Olson, Adams	Wendland
Greiser	Olson, Bowman	White
Hagen	Olson, McLean	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Peterson, Bot'neau	Wolf
Holmquist	Peterson, Renville	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Just	Page
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Burgum	Krank
Bieloh	Jensen	Niewoehner
Bjornson	Kapaun	Shure, Cass

So the bill passed and the title was agreed to.

Mr. Frazier moved that the vote by which Senate Bill No.

76 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, 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, 102; nays, 1; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Johnson	Rait
Benno	Jones	Ritter
Biberdorf	Jury	Sand
Billigmeier	Just	Sandness
Black	Knudson, Steele	Savre
Blair	Knutson, LaMoure	Schauss
Brown	Kraus	Schimke
Brusseau	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker

Those voting in the negative were:

Messrs.  
Seibel

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Levin
Bieloh	Kapaun	Saumur
Bjornson	Krank	Shure, Cass
Frey		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Dullea moved that the vote by which Senate Bill No. 178 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that further consideration of Senate Bill No. 238 be indefinitely postponed, which motion prevailed.

Mr. Wolf moved that the vote by which Senate Bill No. 238 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
February 27, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92, Providing for the Consolidation of Counties and Parts of Counties; the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of all Books, Records and Property; Nominations When Void; the Transfer and Trial of All Accounts of Indebtedness, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993

to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court of State Training School, Without Order of the Juvenile Court or Superintendent of the State Training School; for the Annullment of Such Marriage; and Prescribing Penalties.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Election of Officers of Special School Districts and Prescribing Qualifications Therefor, and Declaring an Emergency.

Also,

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Also,

#### HOUSE CONCURRENT RESOLUTION "O".

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, 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, 81; nays, 12; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Adams
Anderson	Huseby	Olson, Bowman
Anfinson	Ireland	Olson, McLean
Beasley	Johnson	Olson, Sargent
Beggs	Jones	Page
Benno	Knudson, Steele	Peterson, Bot'neau



Messrs.	Messrs.	Messrs.
Biberdorf	Knutson, LaMoure	Peterson, Renville
Billigmeier	Kraus	Peterson, Richland
Black	LaBerge	Pewe
Brown	Langford	Rait
Brusseau	Leum	Sand
Burgum	Levin	Sandness
Dalzell	Livingston	Saumur
Dittmer	McInnes	Schauss
Dullea	McIntee	Semerad
Fitch	Magill	Severson
Frazier	Morland	Shurr, Bottineau
Freitag	Morris	Solberg
Frosaker	Myers	Sticka
Gessner	Niewoehner	Symington
Godwin	Nelson, Cass	Thompson
Goodlaxon	Nelson, Sargent	Traynor
Graham	Norheim	Treffry
Hagen	Obach	Trydahl
Haines	O'Brien	Urschel
Holm	Odegard	Wolf
Holthusen	Oglesby	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Savre	Twichell
Greiser	Seibel	Wendland
Hofstrand	Tuff	Wick
Holmquist	Tweten	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Frey	Ritter
Beaton	Gilberg	Schimke
Bieloh	Jensen	Shure, Cass
Bjornson	Jury	Stray
Byrne	Just	Thoreson
Caddell	Kapaun	White
Day	Krank	

So the bill passed and the title was agreed to.

Mr. Levin moved that the vote by which Senate Bill No. 73 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 78. 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, 83; nays, 13; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, Bowman
Anderson	Hultstrand	Olson, McLean
Anfinson	Huseby	Olson, Sargent
Beasley	Johnson	Page
Beggs	Jones	Peterson, Bot'neau
Benno	Jury	Peterson, Renville
Biberdorf	Kapaun	Peterson, Richland
Billigmeier	Knutson, LaMoure	Pewe
Black	Kraus	Rait
Brown	LaBerge	Sand
Brusseau	Langford	Sandness
Burgum	Leum	Saumur
Dalzell	Levin	Schimke
Dullea	Livingston	Seibel
Fitch	McInnes	Semerad
Frazier	McIntee	Severson
Freitag	Magill	Shurr, Bottineau
Frey	Morland	Sticka
Frosaker	Morris	Thompson
Gessner	Myers	Thoreson
Gilberg	Niewoehner	Treffry
Godwin	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Urschel
Graham	Norheim	Wendland
Hagen	Obach	White
Haines	O'Brien	Wolf
Holm	Odegard	Mr. Speaker
Holmquist	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Tweten
Greiser	Savre	Twichell
Hofstrand	Solberg	Wick
Ireland	Tuff	Williams
Knudson, Steele		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Day	Schauss
Beaton	Dittmer	Shure, Cass
Bieloh	Jensen	Stray
Bjornson	Just	Symington
Byrne	Krank	Traynor
Caddell	Ritter	

So the bill passed and the title was agreed to.

Mr. Sand moved that the vote by which Senate Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within 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, 100; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Hultstrand	Page
Anderson	Ireland	Peterson, Bot'neau
Anfinson	Jensen	Peterson, Renville
Beasley	Johnson	Pewe
Beaton	Jury	Rait
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Black	Kraus	Seibel
Blair	LaBerge	Semerad
Brown	Langford	Severson
Brusseau	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Niewoehner	Treffry
Frossaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Tweten
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, McLean	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Huseby	Ritter
Bjornson	Jones	Schauss
Byrne	Krank	Schimke
Caddell	Peterson, Richland	Twichell
Holthusen		

So the bill passed and the title was agreed to.

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

Mr. Dalzell moved that further consideration of Senate Bill No. 160 be indefinitely postponed, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 15; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Peterson, Renville
Akland	Jensen	Peterson, Richland
Anderson	Johnson	Pewe
Anfinson	Jury	Rait
Beaton	Kapaun	Ritter
Beggs	Knutson, LaMoure	Sand
Benno	Langford	Sandness
Biberdorf	Leum	Saumur
Billigmeier	Levin	Schauss
Brown	Livingston	Schimke
Brusseau	McInnes	Seibel
Burgum	McIntee	Semerad
Byrne	Magill	Shurr, Bottineau
Day	Morris	Solberg
Dullea	Myers	Sticka
Frazier	Niewoehner	Stray
Freitag	Nelson, Cass	Thompson
Frosaker	Nelson, Sargent	Thoreson
Gessner	Obach	Treffry
Gilberg	O'Brien	Tuff
Godwin	Odegard	Tweten
Goodlaxon	Oglesby	Twichell
Hagen	Olson, Adams	Urschel
Haines	Olson, Bowman	White
Hofstrand	Olson, McLean	Wick
Holm	Olson, Sargent	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker
Huseby		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Graham	Page
Black	Holthusen	Severson
Blair	Just	Symington
Dalzell	Kraus	Trydahl
Dittmer	Morland	Wendland

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Hultstrand	Norheim
Bjornson	Jones	Savre
Caddell	Knudson, Steele	Shure, Cass
Fitch	Krank	Traynor
Frey	LaBerge	Williams
Greiser		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Brusseau moved that the vote by which Senate Bill No. 160 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 Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Was read the second time.

Mr. Godwin moved that further consideration of Senate Bill No. 202 be indefinitely postponed, which motion prevailed.

Mr. Shure of Cass moved that the vote by which Senate Bill No. 202 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of 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, the roll was called and there were ayes, 74; nays, 24; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Sargent
Anderson	Haines	Peterson, Bot'neau

Messrs.	Messrs.	Messrs.
Anfinson	Hofstrand	Peterson, Renville
Beaton	Holm	Peterson, Richland
Beggs	Holmquist	Ritter
Biberdorf	Holthusen	Sand
Billigmeier	Huseby	Sandness
Black	Jensen	Saumur
Blair	Kraus	Schauss
Brown	Langford	Shure, Cass
Brusseau	Leum	Shurr, Bottineau
Burgum	Levin	Sticka
Byrne	Livingston	Stray
Dalzell	McInnes	Symington
Day	McIntee	Thompson
Dittmer	Morris	Thoreson
Dullea	Myers	Traynor
Fitch	Niewoehner	Trydahl
Freitag	Nelson, Cass	Tweten
Frosaker	Nelson, Sargent	Twichell
Gessner	Norheim	Urschel
Gilberg	Obach	Wendland
Godwin	O'Brien	White
Goodlaxon	Odegard	Mr. Speaker
Graham	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Knutson, LaMoure	Seibel
Beasley	Magill	Semerad
Frazier	Morland	Severson
Ireland	Oglesby	Solberg
Johnson	Olson, Bowman	Treffry
Jury	Olson, McLean	Tuff
Just	Pewe	Wick
Kapaun	Rait	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Greiser	LaBerge
Bieloh	Hultstrand	Page
Bjornson	Jones	Savre
Caddell	Knudson, Steele	Schimke
Frey	Krank	Williams

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Twichell moved that the vote by which Senate Bill No. 64 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fitch moved that further consideration of Senate Bill No. 51 be indefinitely postponed.

Mr. Burgum offered as a substitute motion that action on Senate Bill No. 51 be deferred one legislative day.

Which motion was lost.

The question being on the original motion of Mr. Fitch, the motion prevailed and House Bill No. 51 was indefinitely postponed.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Was read the second time.

Mr. Traynor moved that action on Senate Bill No. 11 be deferred until Monday.

Which motion prevailed.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary 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, 83; nays, 4; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Akland	Ireland	Peterson, Richland
Anderson	Jensen	Pewe
Anfinson	Johnson	Rait
Beasley	Jury	Sand
Beaton	Just	Sandness
Benno	Kapaun	Saumur
Biberdorf	Knutson, LaMoure	Schauss
Billigmeier	Kraus	Seibel
Black	Levin	Semerad
Blair	Livingston	Severson
Brusseau	McIntee	Shure, Cass
Byrne	Magill	Shurr, Bottineau
Day	Morland	Solberg
Dittmer	Morris	Sticka
Dullea	Myers	Stray
Fitch	Niewoehner	Thompson
Frazier	Nelson, Cass	Thoreson
Freitag	Nelson, Sargent	Treffry
Gessner	Norheim	Tweten
Gilberg	Obach	Twichell
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Hagen	Oglesby	White

Messrs.	Messrs.	Messrs.
Haines	Olson, Bowman	Wick
Holm	Olson, McLean	Wolf
Holmquist	Olson, Sargent	Mr. Speaker
Holthusen	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brown	Symington	Trydahl
Dalzell		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Hofstrand	Olson, Adams
Bieloh	Hultstrand	Peterson, Bot'neau
Bjornson	Jones	Ritter
Burgum	Knudson, Steele	Savre
Caddell	Krank	Schimke
Frey	LaBerge	Traynor
Frosaker	Langford	Tuff
Godwin	Leum	Williams
Greiser	McInnes	

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Was read the second time.

Mr. O'Brien moved that further consideration of Senate Bill No. 96 be indefinitely postponed. A division was called for and the motion was lost.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 31; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Ritter
Anderson	Kapaun	Sand
Anfinson	Kraus	Sandness
Beasley	Langford	Saumur
Benno	Livingston	Schauss
Black	McIntee	Schimke
Blair	Magill	Severson
Brown	Morland	Shurr, Bottineau
Burgum	Morris	Sticka



Messrs.	Messrs.	Messrs.
Day	Myers	Stray
Dittmer	Nelson, Cass	Symington
Dullea	Nelson, Sargent	Thompson
Fitch	Norheim	Trydahl
Frazier	Obach	Tuff
Gessner	Odegard	Urschel
Goodlaxon	Olson, Bowman	White
Graham	Peterson, Bot'neau	Wick
Hagen	Peterson, Renville	Wolf
Haines	Pewe	Mr. Speaker
Huseby	Rait	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Seibel
Billigmeier	Jury	Semerad
Brusseau	Knutson, LaMoure	Shure, Cass
Dalzell	Niewoehner	Solberg
Freitag	O'Brien	Thoreson
Gilberg	Oglesby	Traynor
Holm	Olson, McLean	Treffry
Holmquist	Olson, Sargent	Twetten
Holthusen	Page	Twichell
Hultstrand	Peterson, Richland	Wendland
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Frosaker	LaBerge
Beggs	Godwin	Leum
Biberdorf	Greiser	Levin
Bieloh	Hofstrand	McInnes
Bjornson	Jones	Olson, Adams
Byrne	Just	Savre
Caddell	Knudson, Steele	Williams
Frey	Krank	

So the bill passed, the title was agreed to and the emergency clause was declared lost.

Mr. Frazier moved that the vote by which Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, 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, 89; nays, 2; absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Pewe
Anderson	Ireland	Rait
Anfinson	Jensen	Ritter
Beasley	Johnson	Sand
Beaton	Jury	Sandness
Benno	Just	Saumur
Biberdorf	Kapaun	Schimke
Billigmeier	Knutson, LaMoure	Seibel
Black	Kraus	Semerad
Blair	Langford	Severson
Brown	Livingston	Shure, Cass
Brusseau	McIntee	Shurr, Bottineau
Burgum	Magill	Solberg
Dalzell	Morland	Sticka
Day	Morris	Stray
Dittmer	Myers	Symington
Dullea	Niewoehner	Thompson
Fitch	Nelson, Cass	Thoreson
Frazier	Norheim	Traynor
Freitag	Obach	Treffry
Gessner	O'Brien	Trydahl
Gilberg	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Graham	Olson, Bowman	Twichell
Hagen	Olson, McLean	Urschel
Haines	Olson, Sargent	Wendland
Holm	Page	White
Holmquist	Peterson, Bot'neau	Wick
Holthusen	Peterson, Renville	Mr. Speaker
Hultstrand	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.
Akland	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Greiser	Levin
Bieloh	Hofstrand	McInnes
Bjornson	Jones	Nelson, Sargent
Byrne	Knudson, Steele	Olson, Adams
Caddell	Krank	Savre
Frey	LaBerge	Schauss
Frosaker	Leum	Williams
Godwin		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Morris moved that the vote by which Senate Bill No. 239 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Holmquist moved that further consideration of Senate Bill No. 199 be indefinitely postponed.

Which motion prevailed.

Mr. Morris moved that the vote by which Senate Bill No. 199 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Carl Hinde, Hoople; H. Swat, Drayton; Daniel Dimers, Grafton; Albert Olson, Underwood; Herman Stern, Dr. J. Fredrick Weltzson, Valley City; Sabnice Clark, Lars Larson, Park River; Torger Sinness, Devils Lake; A. M. Kuhfeld, Beach; Mrs. Nick Zolojuk, Nick Zolojuk, Wilton; Martin Olson, Driscoll; Bennie Mattson, Grafton; Ted Larson, Auburn; Frank Johnson, Alfred Oihus, Grafton; Adolph Jenner, Lehr; Mrs. Earl Fallon, Charlson; S. A. Benek, Bismarck; Mrs. C. P. Ritter, Burnstad; Roy Domek, Arthur Diercks, Moorhead, Minn.; Bill Gohn, Bismarck; Mrs. Joe Vogel, Mrs. John Ehlis, Rose Ehlis, all of Mandan; J. Mitchell, Neche; C. E. Mettlenan, L. Best, W. Epton, all of Walhalla; John Letnes, Jens Letnes, Hillsboro; Guy Livingston, Towner; Earl McInnes, Kelso; Mr. and Mrs. Alfred Gast and daughter, Tyler; Mr. Soby, Walhalla; Hans Larson, Park River; Mike Toxziske, Wilton; Dr. L. R. Logee, Bismarck; Dr. A. J. Dressler, Jamestown.

Mr. Seibel moved that the House recess until 12:30 p. m., Monday, which motion prevailed, and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-FIFTH DAY AFTER RECESS AND  
FIFTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

The House convened at 12:30 P. M., pursuant to recess,  
Speaker Dahl presiding.

REPORTS OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following  
report:

Mr. Speaker: Your Committee on Tax and Tax Laws to  
whom was referred:

Senate Bill No. 70. A Bill for an Act Providing for and  
Relating to the Taxation of Income of Individuals, Fiduciaries  
and Corporations; Prescribing the Rates Which Shall Be Paid  
with Respect to Net Income as Defined in Article 35 of Chap-  
ter 34 of Political Code of the Supplement to the Compiled  
Laws of 1913 and Acts Amendatory Thereof; Providing When  
Losses May Be Deducted; Providing for Exemptions and  
Credit Upon Tax; Providing for Date of Effect and to Amend  
and Re-enact Section 2346a25 of the Supplement to the Com-  
piled Laws of 1913; Providing for the Repeal of Paragraph  
(b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931  
Session Laws and All Other Acts or Parts of Acts in Con-  
flict Herewith.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out everything after "A BILL" and insert the fol-  
lowing:

"For an Act Providing for and Relating to the Taxation  
of Individuals, Fiduciaries and Corporations; Prescribing  
the Rates Which Shall be Paid With Respect to Net Income  
as Defined in Article 35 of Chapter 34 of Political Code of  
the Supplement to the Compiled Laws of 1913 and Acts  
Amendatory Thereof; Providing When Losses May be De-  
ducted; Providing for Exemptions and Credit Upon Tax;  
Providing for Date of Effect and to Amend and Re-enact  
Section 2346a23 of the Supplement to the Compiled Laws of

1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

"Be it Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. INCOME TAX: GRADUATED RATE.) A tax is hereby imposed upon every resident of North Dakota, which tax shall be levied, collected and paid annually with respect to his entire net income as defined in Article 35 of Chapter 34 of Political Code being Sections 2346a1 to 2346a50 inclusive of the Supplement to the Compiled Laws of 1913 and Acts amendatory thereof; computed at the following rates:

"On all net incomes, above exemptions, and not in excess of \$2,000.00, a tax of 1%.

"On all net incomes in excess of \$2,000.00, above exemptions and not in excess of \$4,000.00, a tax of 2%.

"On all net incomes in excess of \$4,000.00, above exemptions and not excess of \$5,000.00, a tax of 3%.

"On all net incomes in excess of \$5,000.00, above exemptions and not in excess of \$6,000.00, a tax of 5%.

"On all net incomes in excess of \$6,000.00, above exemptions and not in excess of \$8,000.00, tax of 7½%.

"On all net incomes in excess of \$8,000.00, above exemptions and not in excess of \$10,000.00, a tax of 10%.

"On all net incomes in excess of \$10,000.00, above exemptions and not in excess of \$15,000.00, a tax of 12½%.

"On all net incomes in excess of \$15,000.00, above exemptions 15%.

"Section 2. AMENDMENT.) That sub-section 4, Section 4 of section 2346a18 of the Supplement to the Compiled Laws of 1913 as amended by Chapter 283, Session Laws, 1931, be amended and re-enacted to read as follows:

"Section 2346a18. LOSSES: WHEN DEDUCTED. (4) No losses shall be deducted from the fixed income of the taxpayer derived from salaries, wages, or taxable dividends, but losses actually sustained in the carrying on of any trade or business, sustained within the year and not compensated by insurance or otherwise, may be deducted, provided further that no loss may be allowed in the sale of property purchased and held for pleasure or recreation and which was not acquired or used for profit, but this proviso shall not be construed to exclude losses due to theft or the destruction of property by fire, flood, or other casualty, or a loss sus-

tained in any sale of the residence of the taxpayer. In the case of a taxpayer other than a resident of the State, losses shall be allowed only as to transactions in real property or in tangible personal property having an actual situs in this State, and losses in connection with any business, trade, profession or occupation carried on in this State. Provided, however, that the aggregate amount which may be deducted in connection with losses incurred in connection with sale or exchange or capital assets shall not exceed the aggregate gains reported from the sale or exchange of capital assets in any year.

“(2) Losses sustained from the operation or conducting of any farming or agricultural pursuit sustained within the year and not compensated for by insurance; providing, however, that the person claiming such deduction must have been the owner of the land on which the loss accrued for at least one year prior to claiming the deduction.

“Section 3. EXEMPTION.) (a) For the purpose of the tax on individuals, there shall be deducted from the tax due, the following exemptions:

“(1) In the case of a single individual, an exemption of \$500.

“(2) In the case of a head of a family or married individual living with husband or wife, a personal exemption of \$1,500.00. A husband and wife living together shall receive but one personal exemption of \$1,500.00 against their aggregate net income; and in case they make separate returns, the personal exemption of \$1,500.00 may be taken by either or divided between them.

“(3) Two hundred dollars for each individual (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent individual is under eighteen years of age or is incapable of self support because mentally or physically defective or incapacitated, provided that exemptions may be claimed for children over the age of eighteen years and under the age of twenty-one years that are dependent upon the taxpayer for support and are attending educational institutions.

“(b) For the purpose of the tax on fiduciaries, there shall be deducted:

“(1) If taxable under Article III, Section 14 (a) (Section 2346a13a, ante), a personal exemption of \$500.

“(2) If taxable under Article III, Section 14 (b) (Section 2346a13b, ante), same exemption as would be allowed to deceased if living.

“(3) If taxable under Article III, Section 14 (c) (Section 2346a13c, ante), the same exemption to which the beneficiary would be entitled.

“(c) If the status of the taxpayer insofar as it affects the personal exemption or credits for dependents, changes

during the taxable year, the personal exemption and credits shall be apportioned in accordance with the number of months before or after such change.

"Section 4. CREDIT ON TAX.) A credit shall be allowed against the amount of tax computed to be due and payable by any taxpayer under this Act, to the extent of the tax which has been assessed against and paid by a corporation under this Act on income which is represented by dividends on stock in said corporation, received by the taxpayer and included in his gross income within the income year; provided that when only part of the income of any corporation shall have been assessed and income tax paid under this Act, only a corresponding amount of tax shall be deducted; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year.

"Section 5. (AMENDMENT.) That Section 2346a23 and Section 2346a25 of the Supplement to the Compiled Laws of 1913 is amended and re-enacted to read as follows:

"Section 2346a23. TIME AND PLACE OF FILING RETURNS AND PAYMENTS OF TAX DUE.) Returns shall be in such form as the tax commissioner may from time to time prescribe, and shall be filed with the tax commissioner at his office in Bismarck, North Dakota. Returns shall be made on or before the fifteenth day of the third month following the close of the fiscal year, or if the return is made on the basis of the calendar year, then the return shall be made on or before the fifteenth day of March. Providing, however, that the time for filing of calendar year returns for the year 1936 be extended to April 15, 1937. The tax commissioner may grant reasonable extensions of time for filing reports, when in his judgment good cause exists. There shall be annexed to the return an affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true. The tax commissioner shall prepare blank forms for said returns and shall cause them to be distributed throughout the state, but failure to receive or secure a form shall not relieve the taxpayer from making a return. The taxpayer shall compute the amount of tax due under his return and shall attach thereto a check, draft or money order, payable to the state treasurer, Bismarck, North Dakota, for the amount of tax as so computed. Provided, that if the total tax exceeds ten (\$10.00) dollars, that the payments may be made in quarterly installments, and if paid in installments, the first installment shall be paid at the time fixed by law for filing the return; and second installment shall be paid on the fifteenth day of the third month; the third installment on the fifteenth day of the sixth month; and the fourth installment on the fifteenth day of the ninth month after the time fixed by law for filing the return.

"Section 2346a25 ANNUAL TAX.) There shall be levied, collected and paid for the year ending December 31, 1936, and annually thereafter, upon the net income of every domestic and every foreign corporation received from sources as are described in Article II Sections 7 and 8, a tax equivalent to four per cent (4%) of such net income.

"Section 6. LIEN OF TAX—COLLECTION—ACTION AUTHORIZED.) Whenever any taxpayer liable to pay a tax and/or penalty imposed refuses or neglects to pay the same, the amount, including any interest, penalty, or addition to such tax, together with the costs that may accrue in addition thereto, shall be a lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to said taxpayer.

"The lien aforesaid shall attach at the time the tax becomes due and payable and shall continue until the liability for such amount is satisfied.

"In order to preserve the aforesaid lien against subsequent mortgagees, purchasers or judgment creditors, for value and without notice of the lien, on any property situated in a county, the tax commissioner shall file with the register of deeds of the county in which said property is located, a notice of said lien.

"The register of deeds of each county shall prepare and keep in his office a book to be known as "Index of Tax Liens", so ruled as to show in appropriate columns the following data, under the names of taxpayers, arranged alphabetically:

- "1. The name of the taxpayer.
- "2. The name 'State of North Dakota' as claimant.
- "3. Time notice of lien was received.
- "4. Date of notice.
- "5. Amount of lien then due.
- "6. When satisfied.

"The register of deeds shall indorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall forthwith index said notice in said index book and shall forthwith record said lien in the manner provided for recording real estate mortgages, and the said lien shall be effective from the time of the recording thereof.

"The tax commissioner shall pay a recording fee as provided by law for the recording of such lien, or for the satisfaction thereof.

"Upon the payment of a tax as to which the tax commissioner has filed notice with the register of deeds, the tax commissioner shall forthwith file with said register of deeds, a satisfaction of said tax and the register of deeds shall enter said satisfaction on the notice on file in his office and indicate said fact on the index aforesaid.

"The attorney general shall, upon the request of the tax commissioner, bring an action at law or inequity, as the facts may justify, without bond to enforce payment of any taxes and/or penalties, and in such action he shall have the assistance of the state's attorney of the county in which the action is pending.



"It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken by the tax commissioner or attorney general shall be construed to be an election on the part of the state or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy provided by law.

"The technical, legal requirements outlined in this Section relating to tax liens on all real and personal property of the taxpayer to insure payment of the taxes, including penalties, interest, and other costs, are self-explanatory.

"Section 7. DATE OF EFFECT.) This Act shall be effective on all income received during the year ending December 31, 1936, as provided in this Act.

"Section 8. FIELD AUDITORS.) To provide for the enforcement and administration of this Act, the state tax commissioner is hereby authorized to appoint not more than four field auditors at a salary not to exceed \$150 per month and actual expenses when away from home. Such auditors to be versed in the knowledge of income tax and to have had at least three years' experience in the examination and auditing of books of account. All expenses incurred in complying with the provisions of this Section shall be deducted from the monies collected under this Act.

"Section 9. SAVING CLAUSE.) Should the courts of this State or of the United States declare any of the provisions of this chapter unconstitutional, illegal or void, such decision shall not invalidate any other provision herein contained.

"Section 10. REPEAL.) That paragraph (b) of subsection 4 of Section 6, of Chapter 283 of the 1931 Session Laws and all other Acts or parts of Acts in conflict herewith are hereby repealed.

"Section 11. 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.

N. P. JENSEN,  
Chairman.

Mr. Shure of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Jensen moved that the rules be suspended and that the House unanimously consent to place Senate Bill No. 70 in today's General Orders, which consent was granted.

Mr. Savre moved that Senate Bill No. 141 be re-referred to the Committee on State Affairs, which motion prevailed.

Mr. Niewoehner moved that the action taken on Senate Bill No. 198 be reconsidered, which motion was lost.

## GENERAL ORDERS

Mr. Gilberg moved that the House resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed.

The Speaker called Mr. Gilberg to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

And recommend that the same be amended as follows:

Line 2 of Section 1, strike out the words "and personal".

Also in line 1 of Section 1, strike out the language "five (5) percent" and insert in lieu thereof the language: "three (3) percent".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

And recommend the same be indefinitely postponed.

Also,

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall be Paid With Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

And recommend the adoption of the Standing Committee's

amendments, as found on pages 1589, 1590, 1591, 1592, 1593 and 1594 of today's Journal.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 3 which is page 1, Section 1, line 3 of the printed bill, strike out the figures "\$26,400.00" and insert in lieu thereof the figures "\$15,000.00".

In the engrossed bill, line 10 which is page 2, lines 12 and 13 of the printed bill, strike out the words "General Administration (Commissioner, Clerk and Miscellaneous)" and strike out the figures "\$8,400.00".

In the engrossed bill, line 11 which is page 2, line 14 of the printed bill, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

In the engrossed bill, line 13 which is page 2, line 16 of the printed bill, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

In the engrossed bill, line 15 which is page 2, line 18 of the printed bill, strike out the figures "7,000.00" and insert in lieu thereof the figures "6,000.00".

In the engrossed bill, line 17 which is page 2, line 21 of the printed bill, strike out the figures "\$26,400.00" and insert in lieu thereof the figures "\$15,000.00".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

And recommend the adoption of the Standing Committee's amendments as follows:

Strike out everything after the words "A BILL" and insert the following:

"For an Act, providing for the issuance by the Industrial Commission of Certificates of Indebtedness in anticipation of the collection of property taxes, which have been levied by the State Board of Equalization; prescribing the terms and conditions hereof; providing for their sale and delivery and payment; establishing a Certificate of Indebtedness Retirement Fund, and Repealing all acts or parts of acts inconsistent with the provisions of this act, and declaring an emergency.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"SECTION 1. The Industrial Commission shall have power, from time to time, to borrow in anticipation of revenues to be derived from property taxes already levied by the State Board of Equalization for the current year, and the five next preceding years. Such power, however, can be exercised only in accordance with the provisions of this act. For the purpose of such borrowing the Industrial Commission shall issue Certificates of Indebtedness.

"Certificates of Indebtedness as provided for in this act shall be sold only against that portion of the uncollected general property State Tax levied by the State Board of Equalization, to defray the general expenses of the State Government, known as the general fund, and no certificates shall be sold under this act against uncollected taxes levied for interest and sinking funds. A Certificate of Indebtedness shall consist of an agreement on the part of the State of North Dakota to pay a stated sum on a specified date not more than twenty-four months in the future, together with interest thereon, at a specified rate not exceeding four per cent per annum, which may be made payable semi-annually, which certificate shall be signed on behalf of the State by the Governor and also by the State Treasurer, and such certificates shall be payable primarily out of funds derived from the collection of the taxes as herein provided. Certificates of Indebtedness shall bear the certificate of the State Auditor to the effect that they, together with all other Certificates of Indebtedness outstanding, are within seventy-five per cent of the amount of uncollected taxes for the year enumerated in such certificates which have been lawfully levied. Such certificates shall possess no validity unless they bear such certificate of the State Auditor. It shall be the duty of the State Auditor to make such certificate in accordance with the facts. When so executed with the prescribed certificate signed by the State Auditor, Certificates of Indebtedness shall be fully negotiable and shall be incontestable except on the ground of fraud on the part of the holder or original payee, or connivance between the holder or the original payee and officer or officers of the State. In the hands of the holder in due course, the execution of a Certificate of Indebtedness by the State under this act, shall be conclusive evidence that the issuance thereof was duly authorized by the Industrial Commission of the State. A tax under this act, shall be deemed to have been levied when it has been voted by the State Board of Equalization and certified by the Tax Commissioner.

"That State Auditor shall, at the time of attaching his

certificate to certificates of indebtedness, register such certificates of indebtedness in the permanent records of his office. He shall also inform the State Treasurer of such registration, and the State Treasurer shall likewise keep a permanent record of such certificates of indebtedness.

"After certificates of indebtedness are paid and cancelled they shall be exhibited to the State Auditor, who shall note the cancellation and payment upon his records, whereupon said certificates shall be properly cancelled by the State Treasurer in the presence of the State Auditor, and filed in the office of the State Treasurer.

"SECTION 2. After the sale of such certificates of indebtedness, all tax receipts derived from the said taxes levied for the years listed in such certificates shall be by the State Treasurer set aside into a separate fund to be known as the Certificate of Indebtedness Retirement Fund, which is to be used only for the purpose of retiring such certificates of indebtedness and paying interest thereon until sufficient funds shall have accumulated to retire such certificates. Certificates of Indebtedness shall cease to bear interest at maturity; provided, however, that certificates not paid upon presentation at or after maturity shall bear interest from maturity until paid at the same rate as before maturity.

"If the amount in Certificate Retirement Fund is insufficient to redeem certificates on maturing dates of said certificates, the Industrial Commission shall issue new certificates, the proceeds from sale of which to be used to retire maturing certificates.

"SECTION 3. SALE OF CERTIFICATES OF INDEBTEDNESS; BANK OF NORTH DAKOTA TO BUY SAME; DISPOSITION OF PROCEEDS.) The Industrial Commission shall sell said certificates of indebtedness for cash on such terms and conditions as it shall determine, but in no event for less than par plus accrued interest, and on no terms conflicting with the provisions of this Act. All Certificates must be sold by the Industrial Commission in the open market or upon sealed bids, upon at least twenty days' notice by publication in not less than two newspapers published in this State. Provided the Industrial Commission reserve the right to reject any and all bids and if no bids are received for such certificates the Industrial Commission may deliver the same to the Bank of North Dakota, which shall pay for such certificates the par value thereof plus accrued interest. The proceeds from such sale of said certificates shall be paid to the State Treasurer.

"Out of the moneys developing from sale of certificates, the Industrial Commission is hereby directed, authorized and empowered, from time to time, to transfer to the State Public Welfare Fund for use by the Public Welfare Board in carrying out the duties and powers imposed upon it by law, such moneys, not exceeding One Million Dollars, as said Industrial Commission, in its discretion, may determine are available or may become available after making provision for the payment of the unpaid appropriations from General Fund appropriated for the 1935-37 biennium.

"SECTION 4. The Certificates of Indebtedness issued under this Act shall not be general obligations of the State of North Dakota except to the extent only that the State of North Dakota shall guarantee to pay any deficiency in principal and interest due and payable thereon which may exist at the maturity of such certificates or any renewal thereof in an aggregate amount of not to exceed Two Million Dollars.

"SECTION 5. All Acts or parts of Acts in conflict herewith are hereby repealed.

"SECTION 6. This Act is hereby declared to be an emergency Act and shall be in full force and effect from and after its passage and approval".

And when so amended recommend the same do pass.

Also,

SENATE CONCURRENT RESOLUTION "H".

And recommend the adoption of the Standing Committee's amendments as follows:

On original Resolution, Section 173, line 7, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

On line 10, strike out the words and figures "six thousand (6,000)" and insert in lieu thereof the words "nine thousand".

On line 14 beginning with the word "Any", strike out the balance of the resolution.

And when so amended recommend the same do pass.

C. P. GILBERG,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Mr. Schauss moved that the rules be suspended and that Senate Bill No. 70 be considered properly re-engrossed and placed at the head of the calendar.

Which motion prevailed.

Mr. Shure moved that the amendments to Senate Bill No. 70 be not printed in the report of the Committee of the Whole.

Which motion prevailed.

Mr. Burgum moved that the House request the return of Senate Bill No. 185 from the Senate.

Which motion prevailed.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills and resolution:

## HOUSE CONCURRENT RESOLUTION "O"

Also,

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of All Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court of State Training School, Without Order of the Juvenile Court or Superintendent of the State Training School; for the Annulment of Such Marriage; and Prescribing Penalties.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Elections of Officers of Special School Districts and Prescribing Qualifications Therefor, and Declaring an Emergency.

Also,

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of

North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Also,

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Also,

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Also,

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD.  
Secretary.



- Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty Therefor.

Also,

HOUSE CONCURRENT RESOLUTION "L".

Also,

House Bill No. 271. A Bill for an Act Relating to the Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol

Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

Also,

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

Also,

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of the Session Laws of North Dakota for 1931: Entitled—"An Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers, and Making an Appropriation Therefor."

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that the absent members be excused, which motion prevailed.

Mr. Freitag moved that the House adjourn, which motion prevailed and the House adjourned.

MINNIE D. CRAIG,  
Chief Clerk.

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#### FIFTY-SIXTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. Frank Larson of Mandan.

The roll was called, and all members were present except Representatives Beasley, Brusseau, Greiser, Levin and Wolf.

So a quorum was declared present.

## SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that Senate Bill No. 202 be placed on the calendar, which motion was lost.

## REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: 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 recommend that the same be corrected as follows:

Page 1581, Senate Bill No. 96 records Mr. Burgum voted "no," whereas Mr. Burgum voted "aye."

Page 1574, House Bill No. 78, record shows Mr. Holmquist voting "no," whereas he voted "aye."

On page 1580, Mr. Johnson should be shown as voting "no" on Senate Bill No. 96.

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 185.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## PETITIONS AND COMMUNICATIONS

A petition signed by 89 residents of Ransom County opposing the passage of Senate Bill No. 170.

A petition signed by 78 residents of New Rockford opposing Senate Bill No. 13.

A petition signed by 63 residents of Carrington urging the defeat of Senate Bill No. 13.

A petition signed by 22 residents of Ransom County opposing the passage of Senate Bill No. 13.

A resolution from the legislature of Kansas signed by the

President of the Senate, the Speaker of the House, the Chief Clerk of the House and the Secretary of the Senate.

Mr. Twichell moved that the communication from the Kansas legislature be received.

Which motion prevailed.

Mr. Twichell moved that a copy of House Concurrent Resolution "O" be sent to the Kansas legislative assembly.

Which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 37. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

Senate Bill No. 39. 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.

Also,

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Also,

Senate Bill No. 12. A Bill for an Act Making an Appropri-

ation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Also,

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 78. 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.

Also,

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Also,

Senate Bill No. 76. 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.

Also,

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "T"

Also,

SENATE CONCURRENT RESOLUTION "U"

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

Also,

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Also,

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 2133 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Township Board of Review, Complaints and Grievances With Reference Thereto, and Providing for an Appeal to the Board of County Commissioners, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 196. A Bill for an Act to Amend Section 6 of Chapter 85 of the Session Laws for the Year 1929, Relating to the Licensing of Airmen and Aircraft; Making Violation Thereof a Misdemeanor, and Providing the Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring This Act to Be an Emergency Measure.

Also,

Senate Bill No. 236. A Bill for an Act Prohibiting the Admission of Any Minor Into Any Retail Liquor Store in the State of North Dakota Holding an "On Sale" License Under the Provisions of the Liquor Control Act of This State, and Requiring Rigid Enforcement of This Act by Police Officials and State's Attorneys, and Declaring an Emergency.

Also,

Senate Bill No. 168. A Bill for an Act to Create, Define and Establish "Airmen's Association of the State of North Dakota," Providing for the Creation of a Fund for the Use of Said Association to be Known as "Airmen's Aviation Fund."

Also,

Senate Bill No. 227. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association; Providing for the Creation of the Board of Managers and Defining Its Powers, Duties, and Qualifications to Such Board; Providing for the Appointment of an Auditor and for the Filling of Vacancies on Such Board; Providing for Removal of Members of Such Board; Providing for the Organization of Such Board and the Matter of Conducting Business; Providing Procedure in Actions Brought Against Such Association; Providing for Employees and Bonds; Providing for Examination by the State Examiner and Repealing Chapter 268 of Session Laws of 1931 and Chapter 193 of the Session Laws of 1933.

Also,

Senate Bill No. 181. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 193 of the 1933 Session Laws Relating to the Appointment of a Manager and Other Employees of the State Mill and Elevator.

Also,

Senate Bill No. 63. A Bill for an Act Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and an Inspector of Said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department. Providing for the Duties of Said Director, Assistant Director, and Inspector of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith, the Enforcement of Said Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes and Providing for the Distribution of the Moneys Collected by the Regulatory Department to the Counties and State Equalization Fund. Repealing All Acts and All Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



House Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 130: A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Burgum moved that the House reconsider the vote by which Senate Bill No. 202 was lost.

Which motion prevailed.

#### REPORT OF STANDING COMMITTEES

The Committee on Insurance made the following report:

Mr. Speaker: Your Committee on Insurance to whom was referred:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in line 8 after the words "to provide for", strike out the word "Compensation" and insert in lieu thereof the word "cooperation". (This is the title of the bill as printed on page 476 of the Senate Journal for Feb. 8.)

On page 477 of the Journal, in subsection e, line 7 after

the word "employ", leave the word "one" as it is in the Journal. (This has been amended to "eight" in the Senate and then changed back to "one" which figure now prevails.)

On page 477, Subsection (4) of Section 2, in line 1 of such subsection after the word "with" the word "one" will remain as it is with the same explanation as above.

On page 484, reinsert subsection (III) under subsection B under subsection (3) of Section 4 (pages 484 and 485 of Senate Journal for Feb. 8).

Section 14, subsection (B) on page 498, line 10 after the word "appropriated", strike out the figures "\$10,000" (as inserted in the original bill introduced in the Senate) and insert in lieu thereof \$33,000.00 and where the figures "\$50,000" stand in subsection (b) of the Journal, (line 10).

And when so amended recommend the same do pass.

LEONAS MYERS,  
Chairman.

Mr. Gessner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title of the printed bill, after the word "hereby" and before the word "and," insert a comma and add the following language: "Providing for 'Auto Transportation Fund,' Providing for Fees to Be Paid by Operators Transporting Persons or Property by Motor Propelled Vehicles."

On page 11, Section 14, line 7, after the word "vehicle," change the period (.) to a comma (,) and add the following language: "provided, however, that where subsequently said motor vehicle or vehicles are licensed during the same year in this state, receipt for payment of caravanning fee may be applied on license fee."

Strike out Senate amendment No. 19 found on page 748 of the Senate Journal, which amends line 7, Section 26, page 16 of the printed bill and insert after the word "of" the following language: "not less than Five Dollars (\$5.00)."

On page 16 of the printed bill, Section 26, line 9, after the word "instance," insert a comma (,) in lieu of the period (.) and add the following language: "and annually thereafter pay for each vehicle registered with the Railroad Commission, a fee of not less than Ten Dollars (\$10.00) for the first vehicle registered and Five Dollars (\$5.00) for each additional vehicle registered."

Amend Senate Amendment No. 21, page 748 of Senate Journal, which amends Section 27, page 17, line 10 of the printed bill, as follows: Strike out after the word "Fund," "on April 1, July 1, October 1, and" and insert in lieu thereof the following: "annually on".

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Frey moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Treffry moved that the report be adopted.

Mr. Burgum offered as a substitute motion that Senate Bill No. 142 be placed on the calendar, which motion was lost.

The question being on the original motion of Mr. Treffry, the motion prevailed and Senate Bill No. 142 was indefinitely postponed.

A majority of the Committee on Judiciary made the following report:

Mr. Speaker: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

W. H. SHURE,  
J. D. HOLTHUSEN,  
H. B. KNUDSON,  
L. L. TWICHELL,  
O. R. LaBERGE,  
C. P. GILBERG,  
EDW. SAVRE,  
Chairman.

Mr. Shure of Cass moved that the report be adopted.

A minority of the Committee on Judiciary made the following report:

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

WM. TREFFRY,  
HARVEY BRUSSEAU,  
GUST TWETEN,  
ROBERT RAIT.

Mr. Frazier moved that the report of the minority be substituted for that of the majority.

A division was called for, and the motion prevailed.

Mr. Freitag moved that the vote by which Senate Bill No. 143 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Dealing with the North Dakota Beverage Inspection Act, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the Fee Required to be Paid for Registration of Label Thereof, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

L. C. ODEGARD,  
Chairman.

J. M. Thompson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Have had the same under consideration and recommend that the same do pass.

GUS. A. SCHAUSS,  
Chairman.

Mr. Cbach moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 169. A Bill for an Act to Provide for the Protection of Prehistoric Deposits, Relics, Indian Mounds, Graves, Village Sites, and Other Archaeological Material. To Provide for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Material and Providing a Penalty for Violations.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. Speaker: Your Committee on Agriculture to whom was referred:

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

FRED J. SHURR,  
Chairman.

Mr. Holm moved that the report be adopted.

Mr. Pewe offered as a substitute motion that Senate Bill No. 170 be indefinitely postponed. A division was called for, and the motion was lost.

Mr. Kapaun offered as a substitute motion that Senate Bill No. 170 be referred to General Orders.

Which motion prevailed.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Huseby moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Drainage and Irrigation made the following report:

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred:

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Have had the same under consideration and recommend that the same do pass as it came from the Senate.

M. D. GRAHAM,  
Chairman.

L. O. Norheim moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the words "Diseases therein" which may be found in the last line of the title, add the following words: "repealing all Acts or parts of Acts in conflict herewith".



In line 5 of Section 1, strike out everything after the word "therein;" and before the word "provided" in line 10.

Renumber Section 15 to read as Section 16 and insert a new Section "SECTION 15. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed". (Which sections may be found on page 10 of the printed bill and on page 7 of the original bill.)

And when so amended recommend the same do pass.

L. C. ODEGARD,  
Chairman.

Mr. Thompson moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Agriculture made the following report:

Mr. Speaker: A majority of your Committee on Agriculture to whom was referred:

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

FRED SHURR,  
EDWIN K. LIVINGSTON,  
P. K. HOLM,  
E. KNUTSON, LaMoure,  
CARL H. PEWE,  
C. W. BIELOH,  
HARRY SEMERAD,  
ROBERT RAIT,  
CALVIN SCHIMKE,  
ALEX DALZELL,  
FRED J. SHURR,  
Chairman.

Mr. Bieloh moved that the report be adopted.

A minority of the Committee on Agriculture made the following report:

Mr. Speaker: A minority of your Committee on Agriculture to whom was referred:

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be sent to General Orders.

H. W. McINNIS,  
H. J. MORRIS,  
EMIL FREY,  
RICHARD DAY.

Mr. Morris moved that the report of the minority be substituted for the report of the majority.

Mr. Beggs moved the previous question, which motion prevailed.

The question being on the motion of Mr. Morris, the motion was lost.

The question now being on the original motion of Mr. Bieloh, the motion prevailed and the majority report was adopted.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresenta-

tion; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Have had the same under consideration and recommend that the same do pass as it came from the Senate.

HARRY O'BRIEN,  
Chairman.

Mr. Jury moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 195. A Bill for an Act to Rid the State of a Public Nuisance, Namely Irresponsible Collectors or Collection Agencies who Themselves are Operating Without Sufficient Funds and Who are Unable to Pay their Own Obligations, Yet Who Continually Persist in Cluttering Up the Courts With Garnishment and Attachment Actions, Causing Many Worthy Individuals with Large Families to Support, to Lose Their Jobs by Useless Litigation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Frazier moved that the vote by which Senate Bill No. 143 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 143 be referred to General Orders.

Which motion prevailed.

Mr. Johnson moved that the vote by which Senate Bill No. 142 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 142 be placed on the calendar.

Which motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in this State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Applicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 53. A Bill for an Act Making It Unlaw-

ful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in this State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 158, Session Laws of 1933, Relating to Foreclosure of Mortgages by Advertisement.

Have had the same under consideration and recommend that the same do pass.

EDW. SAVRE,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Have had the same under consideration and recommend that the same do pass.

EDWARD SAVRE,  
Chairman.

Mr. Gilberg moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 216. A Bill for an Act to Repeal Chapter 255 of the Session Laws of 1931, Relating to Teachers Oath or Affirmation to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of this State.

Have had the same under consideration and recommend that the same do pass.

GUS A. SCHAUSS,  
Chairman.

Mr. Holmquist moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 231. A Bill for an Act Providing for the Abolition of the Office of Common School District Treasurer Upon Majority Vote at Annual School Elections.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUS. A. SCHAUSS,  
Chairman.

Mr. Holmquist moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. Speaker: Your Committee on Education to whom was referred:

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

GUS. A. SCHAUSS,  
Chairman.

Mr. Niewoehner moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. Speaker: Your Committee on Judiciary to whom was referred:

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4 of Chapter 138 of the North Dakota Session Laws for the Year 1929 Entitled "An Act to Provide for the Storage of Grain Upon Farms and on or Near Railway Rights-of-Way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of 'Grain Storage Commissioner of North Dakota,' Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

EDW. SAVRE,  
Chairman.

Mr. Treffry moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, line 3 of the title, which is line 3 of the printed bill after the word "schools", strike out the words and comma "and Other Activities of Such Association,".

In the engrossed bill, line 4 of the title which is line 4 of the title of the printed bill after the figures "1935", strike out the "period" and insert in lieu thereof the "semi-colon" and add the words "Repealing all Acts or Parts of Acts in Conflict Herewith".

In the engrossed bill, Section 1, line 4 which is Section 1, line 5 of the printed bill after the word "Association", insert a "comma" and add the words "to be disbursed by State Auditors Warrants on vouchers approved by the Secretary of the North Dakota Firemen's Association and audited by the State Auditing Board".

In the engrossed bill, Section 1, line 4 which is Section 1, line 5 of the printed bill, after the word "of", strike out the words "promoting the efficiency and growth of its different departments, and for the".

In the engrossed bill, Section 1, line 6 which is Section 1, line 7 of the printed bill, strike out the word "of" preceding the word "regional".

After the entire "Section 1", add Section Two to the bill as follows: "(Section 2. REPEAL.) All Acts or parts of Acts in Conflict Herewith are hereby repealed".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, page 2, line 11 which is page 3, line 40 of the printed bill after the words "IMPROVEMENTS AND REPAIRS", strike out the "colon" and insert in lieu thereof a "comma" and add the following words "to be placed under the Supervision of the Board of Administration:".

In the engrossed bill, page 2, items 1 to 8, inclusive, under IMPROVEMENTS AND REPAIRS which is page 3, lines 41 to 49, inclusive, of the printed bill, strike out entirely all the figures on these lines.

In the engrossed bill, page 2, item 6 under IMPROVEMENTS AND REPAIRS which is page 3, line 47 of the printed bill, strike out the words "Stucco Buildings—Painting" and insert in lieu thereof the words "Remodeling Carpenter Shop for Vocational Training".

In the engrossed bill, page 2, after item 8 under IMPROVEMENTS AND REPAIRS which is line 50 on page 3 of the printed bill, insert the word "Total" and insert the figures "\$18,950.00".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:



Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL SAND,  
Chairman.

Mr. Frosaker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Have had the same under consideration and recommend that the same be passed as it came from the Senate.

PAUL A. SAND,  
Chairman.

Mr. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "P". A Concurrent Resolution providing for the amendment of Section 158 of Article 9 of the Constitution of North Dakota as amended by Article 13 of the Amendments thereof, relating to school and public lands, and for resale to original purchaser.

Have had the same under consideration and recommend that the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Have had the same under consideration and recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 137. A Bill for an Act Vesting in and Imposing Upon the State Welfare Board Additional Powers and Duties, Repealing Sections 283b6 and 283b7, Supplement to the Compiled Laws, 1913, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Beggs moved that the vote by which Senate Bill No. 137 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 4444 and 4446 of Chapter 9 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing for Adoption of Minors and Adults, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Frazier moved that the vote by which Senate Bill No. 250 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 73.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that at the completion of the Eighth Order of Business the House recess until 4:00 P. M.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of Its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

Also,

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Also,

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Also,

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Also,

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Also,

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The House recessed.

#### AFTER RECESS

The House convened at 4:00 P. M., pursuant to recess, Speaker Dahl presiding.

#### TWELFTH ORDER OF BUSINESS

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Chapter 116, Laws of 1919, and to Amend Chapter 116, Laws of 1919.

Which the Senate has amended as shown on page 775 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Kapaun moved that the House concur in the Senate amendments to House Bill No. 118.

Which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Which the Senate has amended as shown on page 774 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Twichell moved that the House concur in the Senate amendments to House Bill No. 81.

Which motion prevailed.

Mr. Kapaun moved that the rules be suspended and that House Bill No. 118 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

Mr. Fitch moved that the rules be suspended and that House Bill No. 81 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of House Bill No. 118, as amended by the Senate, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jones	Rait
Biberdorf	Jury	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre

Messrs.	Messrs.	Messrs.
Blair	Krank	Schauss
Brown	Kraus	Schimke
Burgum	LaBerge	Seibel
Byrne	Langford	Severson
Caddell	Leum	Shure, Cass
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Gessner	Nelson, Sargent	Tuff
Gilberg	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Hagen	Odegard	White
Haines	Oglesby	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Wolf
Holmquist	Olson, Sargent	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Greiser	Semerad
Benno	Jensen	Shurr, Bottineau
Brusseau	Levin	Traynor
Frey	Livingston	Tweten
Godwin	Olson, Adams	

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which House Bill No. 118 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of House Bill No. 81, as amended by the Senate, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Page
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Johnson	Rait
Biberdorf	Jones	Ritter
Bieloh	Jury	Sand
Billigmeier	Just	Sandness
Bjornson	Kapaun	Saumur

Messrs.	Messrs.	Messrs.
Black	Knudson, Steele	Savre
Blair	Knutson, LaMoure	Schauss
Brown	Krank	Schimke
Burgum	Kraus	Seibel
Byrne	LaBerge	Severson
Caddell	Langford	Shure, Cass
Dalzell	Leum	Solberg
Day	Livingston	Sticka
Dittmer	McInnes	Stray
Dullea	McIntee	Symington
Fitch	Magill	Thompson
Frazier	Morland	Thoreson
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Twichell
Gilberg	Nelson, Sargent	Urschel
Goodlaxon	Norheim	Wendland
Graham	Obach	White
Hagen	O'Brien	Wick
Haines	Odegard	Williams
Hofstrand	Oglesby	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Greiser	Semerad
Benno	Levin	Shurr, Bottineau
Brusseau	Olson, Adams	Traynor
Godwin	Olson, McLean	Tweten

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return:

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

In accordance with your request for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.



## SEVENTH ORDER OF BUSINESS

Mr. Burgum moved that the House reconsider the action by which Senate Bill No. 185 was declared lost.

A roll call was demanded and granted.

## ROLL CALL

The question being on Mr. Burgum's motion, the roll was called and there were ayes, 66; nays, 40; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hofstrand	O'Brien
Anfinson	Holm	Odegard
Beaton	Holthusen	Oglesby
Benno	Huseby	Olson, Bowman
Black	Ireland	Olson, McLean
Blair	Johnson	Olson, Sargent
Brown	Jones	Peterson, Renville
Burgum	Jury	Peterson, Richland
Caddell	Kapaun	Sandness
Dalzell	Knudson, Steele	Saumur
Day	Kraus	Severson
Dittmer	LaBerge	Shure, Cass
Dullea	Langford	Solberg
Fitch	Leum	Stray
Frey	Livingston	Thompson
Frosaker	McInnes	Thoreson
Gessner	Magill	Traynor
Gilberg	Morland	Trydahl
Goodlaxon	Niewoehner	Twichell
Graham	Nelson, Cass	Wendland
Hagen	Nelson, Sargent	Wick
Haines	Norheim	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Krank	Schimke
Akland	McIntee	Seibel
Beggs	Morris	Semerad
Biberdorf	Myers	Shurr, Bottineau
Bieloh	Obach	Sticka
Billigmeier	Page	Symington
Bjornson	Peterson, Bot'neau	Treffry
Frazier	Pewe	Tuff
Freitag	Rait	Twetén
Godwin	Ritter	Urschel
Holmquist	Sand	White
Jensen	Savre	Wolf
Just	Schauss	Mr. Speaker
Knutson, LaMoure		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Greiser	Levin
Brusseau	Hultstrand	Olson, Adams
Byrne		

So the motion was lost.

Mr. Godwin moved that the House reconsider the action by which Senate Bill No. 244 was indefinitely postponed.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 244 be placed on the calendar. A division was called for and the motion was lost.

Mr. Caddell moved that the House defer action on Senate Bill No. 244 for one legislative day.

Which motion prevailed.

TWELFTH ORDER OF BUSINESS

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return:

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Which the Senate has amended as shown on page 1150 of the Senate Journal.

Very respectfully,  
THOMAS McDONALD,

Secretary.

Mr. Page moved that the House concur in the Senate amendments to House Bill No. 178,

Which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 178 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Akland	Huseby	Peterson, Richland
Anderson	Ireland	Pewe
Anfinson	Jensen	Ritter
Beaton	Johnson	Sand
Beggs	Jones	Sandness
Benno	Jury	Saumur

Messrs.	Messrs.	Messrs.
Biberdorf	Just	Savre
Bieloh	Kapaun	Schauss
Billigmeier	Krank	Schimke
Bjornson	Kraus	Seibel
Black	LaBerge	Semerad
Blair	Langford	Severson
Brown	Leum	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Nelson, Cass	Treffry
Frey	Nelson, Sargent	Trydahl
Frosaker	Norheim	Tuff
Gessner	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Hofstrand	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Greiser	Levin
Brusseau	Knudson, Steele	Olson, Adams
Byrne	Knutson, LaMoure	Rait
Gilberg		

So the bill passed and the title was agreed to.

#### FIFTH ORDER OF BUSINESS

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Section 5 at the end of subsection "b", strike out the "period" and insert in lieu thereof a "comma" and add the word "or". Strike out the designation (c), and change the capital letter "I" in the word Is to a small letter "i". This amendment would join subsection (c) with subsection (b).

In Section 7, line 7, page 6, after the word "by", insert the following: "the person with whom the child is living or".

In Section 8, line 21, page 7, strike out the words "subpoena witnesses".

In Section 15, subsection b, line 11, page 14, strike out the words "the names" after the word "county" and insert the word "paid" after the word "amount".

At the end of Section 18, strike out the "period" and insert in lieu thereof a "comma" and add the following: "but any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available for inspection by the applicant in any case where he applies for fair hearing either by appeal or otherwise".

And when so amended recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 6, line 19, strike out the words "subpoena witnesses".

In Section 22, at the end of the section, change the period (.) to a comma (,) and add the following: "but any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available for inspection by the applicant in any case where he applies for a fair hearing, either by appeal or otherwise".

In Section 27, line 1, strike out the words "laws" where they appear in that line and insert in lieu thereof the words "acts" in both places.

In line 2, same section, strike out the words "with this act" and insert in lieu thereof the word "herewith".

And when so amended, recommend the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Have had the same under consideration and recommend that the same be amended as follows:

After Section 10, insert the following as Section 11, and renumber the balance of the sections accordingly.

SECTION 11. COUNTY APPROPRIATION.) The Board of County Commissioners in each county in this state shall appropriate annually such sum as, in its judgment, may be needed to carry out the provisions of this Act, including expenses of administration based upon a budget prepared by the County Welfare Board, after taking into account State aid, and shall include in the tax levy for such county the sum or sums appropriated for that purpose. Should the sum be so appropriated, however, be expended or exhausted during the year and for the purpose for which it was appropriated, additional sums shall be appropriated by the Board of County Commissioners.

If the financial condition of any county is such that it cannot make an appropriation or levy a tax for old age assistance or cannot legally issue warrants in an amount sufficient to provide the necessary funds to comply with the provisions of this Act, the Board of County Commissioners shall report such fact to the State Board. The State Board shall make, or cause to be made, a complete investigation of the financial condition of such county and if such investigation shows that any county cannot appropriate funds or legally issue warrants or levy a tax in an amount sufficient to provide the county's share of funds needed for old age assistance in that county, the State Board may provide either as a grant or as a loan that county's share of funds for old age assistance or so much thereof as may be necessary, from state funds appropriated to the Public Welfare Board for old age assistance.

At the end of Section 17 add the following: "But any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available for inspection by the applicant in any case where he applies for a fair hearing either by appeal or otherwise."

Section 6, page 6, line 13, strike out the words "subpoena witnesses".

And when so amended recommend the same do pass.

VAL. P. WOLF,  
Chairman.

Mr. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

HOUSE RESOLUTION "M", introduced by Representative Magill. A Resolution memorializing Congress to enact laws requiring all motor vehicles to be equipped with recording speedometers.

Was read.

Mr. Frazier moved that House Resolution "M" be referred to the State Affairs Committee.

Mr. Godwin offered as a substitute motion that House Resolution "M" be referred to the Ways and Means Committee.

Which motion prevailed.

#### TWELFTH ORDER OF BUSINESS

##### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bills Nos. 29, 30, 31, 32, 81 and 104, and the President has appointed as a Conference Committee, Senators Fowler, Vinje and Fredrickson.

Very respectfully,

THOMAS McDONALD.  
Secretary.

Mr. Godwin moved that a Conference Committee be appointed to meet with the Conference Committee from the Senate on Senate Bill No. 29, Senate Bill No. 30, Senate Bill No. 31, Senate Bill No. 32, Senate Bill No. 81 and Senate Bill No. 104, which motion prevailed, and the Speaker appointed to such Conference committee Representatives Beggs, Hultstrand and Dullea.

##### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills 118, 81 and 178.

Also,

That the Speaker has appointed Representatives Beggs,

Hultstrand and Dullea to serve with a like committee of the Senate on Senate Bills Nos. 30, 31, 29, 32, 81 and 104.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Twichell moved that the House reconsider the vote by which House Bill No. 78 was passed.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 78.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House accede to the Senate request, and return House Bill No. 78 to them.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

As per your request.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Also,

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

And the Speaker signed the same in the presence of the House.

## SECOND READING OF SENATE BILLS

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Was read the second time.

Mr. Godwin moved that action on Senate Bill No. 70 be deferred, and that action on Senate Bill No. 70 be made a special order of business for 11:00 o'clock tomorrow morning.

Which motion prevailed.



## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Also,

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

Senate Bill No. 53. A Bill for Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Also,

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Also,

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Also,

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

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House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 1, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 130. A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 129. A Bill for an Act Making Provision

for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a18-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Also,

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile Court of State Training School, Without Order of the Juvenile Court or Superintendent of the State Training School; for the Annullment of Such Marriage; and Prescribing Penalties.

Also,

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Elections of Officers of Special School Districts and Prescribing Qualifications Therefor, and Declaring an Emergency.

Also,

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Also,

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of All Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock P. M., March 1st, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

#### HOUSE CONCURRENT RESOLUTION "O".

Was delivered to the Secretary of State for his approval at the hour of 3:05 o'clock P. M., March 1, 1937.

CARL H. DITTMER,  
Chairman.

Mr. Kapaun moved that the House recess until 7:45 p. m., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 7:45 P. M., pursuant to recess, Speaker Dahl presiding.

#### FIFTH ORDER OF BUSINESS

##### REPORT OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, Subsection (a) of the re-engrossed bill, strike out the words "consumer or user".

In Section 1 of Subsection (c), line 3 of the re-engrossed bill, which is Section 1, Subsection (c), line 16 of the printed bill, after the word "of" and before the word "gas", insert the word "steam".

In Section 1, Subsection (c), line 8 of the re-engrossed bill after the word "customer", strike out all of lines 8, 9, 10 and 11 up to the period after the word "tax" and insert in lieu thereof the following: "by the term 'processing' as used in this Act is meant tangible personal property that is used in manufacturing, producing or processing and which becomes an ingredient or component part of other tangible personal property and which latter tangible personal property becomes subject to the retail sales tax".

In Section 1, of Subsection (e) on line 3 of the re-engrossed bill which is page 2, line 27 of the printed bill after the word "of", insert the word "steam".

In Section 2, line 7 of the re-engrossed bill which is page 4, line 8 of the printed bill after the word "of", insert the word "steam".

In Section 2, line 9 of the re-engrossed bill which is page 4, line 10 of the printed bill, after the word "furnishing", insert the word "steam".

In Section 2, line 15 of the re-engrossed bill after the word "act", strike out the balance of line 15 and also lines 16, 17, 18 and 19.

In Section 3, Subsection (d), line 4 of the re-engrossed bill which is page 5, line 16 of the printed bill, strike out the word "exempted" and substitute therefor the word "expended".

In Section 5, Subsection 1, line 4 of the re-engrossed bill, which is Section 5, Subsection 1, line 6 of the printed bill, after the word "needy", strike out the balance of said subsection.

In Section 5, Subsection (2a) line 3, of the re-engrossed bill, which is Section 5, Subsection (2a) line 16 of the printed bill, after the word "agency" strike out the words "or local governmental units". And also Section 5, Subsection (2a), line 6 of the re-engrossed bill after the word "needy", which is Section 5, Subsection (2a), line 20 of the printed bill, strike out the balance of said subsection.

Section 5, Subsection (2b), line 4 of the re-engrossed bill, which is Section 5, Subsection (2b), line 25 of the printed bill,

after the word "agency" strike out "or local governmental unit".

In Section 5, Subsection (2c), line 1 of the re-engrossed bill, which is Section 5, Subsection (2c), line 26 of the printed bill, after the word "agency" strike out "or local governmental unit".

In Section 5, Subsection 3, line 3, of the re-engrossed bill, which is Section 5, Subsection 3, line 34 of the printed bill, after the word "agency" strike out the balance of said subsection.

In Section 10, Subsection 4 of the re-engrossed bill, which is Section 1, Subsection 4 of the printed bill, strike out all of Subsection 4 and substitute in lieu thereof the following as:

"SUBSECTION 4. LIEN OF TAX—COLLECTION—ACTION AUTHORIZED.) Whenever any taxpayer liable to pay a tax and/or penalty imposed refuses or neglects to pay the same, the amount, including any interest, penalty, or addition to such tax, together with the costs that may accrue in addition thereto, shall be a lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to said taxpayer.

"The lien aforesaid shall attach at the time the tax becomes due and payable and shall continue until the liability for such amount is satisfied.

"In order to preserve the aforesaid lien against subsequent mortgages, purchasers or judgment creditors, for value and without notice of the lien, on any property situated in a county, the tax commissioner shall file with the register of deeds of the county in which said property is located, a notice of said lien.

"The register of deeds of each county shall prepare and keep in his office a book to be known as "Index of Tax Liens", so ruled as to show in appropriate columns the following data, under the names of taxpayers, arranged alphabetically:

- "1. The name of the taxpayer.
- "2. The name 'State of North Dakota' as claimant.
- "3. Time notice of lien was received.
- "4. Date of Notice.
- "5. Amount of lien then due.
- "6. When satisfied.

"The register of deeds shall indorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall forthwith index said notice in said index book and shall forthwith record said lien in the manner provided for recording real estate mortgages, and the said lien shall be effective from the time of the indexing thereof.

"The tax commissioner shall pay a recording fee as provided

by law for the recording of such lien, or for the satisfaction thereof.

"Upon the payment of a tax as to which the tax commissioner has filed notice with the register of deeds, the tax commissioner shall forthwith file with said register of deeds a satisfaction of said tax and the register of deeds shall enter said satisfaction on the notice on file in his office and indicate said fact on the index aforesaid.

"The attorney general shall, upon the request of the tax commissioner, bring an action at law or in equity, as the facts may justify, without bond to enforce payment of any taxes and/or penalties, and in such action he shall have the assistance of the state's attorney of the county in which the action is pending.

"It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken by the tax commissioner or attorney general shall be construed to be an election on the part of the state or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy provided by law.

"The technical, legal requirements outlined in this section relating to tax liens on all real and personal property of the taxpayer to insure payment of the taxes, including penalties, interest and other costs, are self-explanatory."

Strike out Subsections 5 and 6 of Section 10 of the re-engrossed bill.

Re-number Subsection 7 of Section 10 of the re-engrossed bill as "Subsection 5" and on line 1 of said Subsection 5 after the word "shall" insert the word "not".

In Section 11, of the re-engrossed bill, which is Section 11, page 13 of the printed bill, add Subsection 7 to read as follows: "SUBSECTION 7. It is hereby provided that all permits issued under the provisions of Chapter 276, 1935 Session Laws, and in effect upon the taking effect of this act are hereby continued and shall remain in full force and effect unless revoked as herein provided."

In Section 15 of the re-engrossed bill, Subsection 2, line 2, which is Section 15, Subsection 2, line 15a of the printed bill, after the word "or" and before the word "gas," insert the word "steam" and a comma.

In Section 15, Subsection 3, line 4 of the re-engrossed bill, which is Section 15, Subsection 3, line 28 of the printed bill, strike out the word "felony" and insert the word "misdemeanor." In the same line of the re-engrossed bill, which is line 29, page 17 of the printed bill, strike out the words "less than," and insert in lieu thereof the words "to exceed."

In Section 15, Subsection 3, line 5 of the re-engrossed bill, which is page 17, line 30, of the printed bill, strike out the language "not more than five thousand dollars."

In Section 15, Subsection 3, line 6 of the re-engrossed bill, which is line 30, page 17, of the printed bill, after the word "imprisoned" insert "in the county jail".

In Section 19, Subsection 2, line 4 of the re-engrossed bill, which is line 11, page 20 of the printed bill after the word "hereafter" and before the word "fixed," strike out the word "by" and insert the word "be".

In Section 16, of the re-engrossed bill, line 8, which is line 9, Section 16, page 17 of the printed bill, correct the spelling of "method is".

In Section 25, line 5 of the re-engrossed bill, which is page 22, line 6, Section 25 of the printed bill, after the word "however," strike out the following: "the sum of Seventy-five Thousand (\$75,000) Dollars per annum" and insert the following: "an amount not to exceed three per cent (3%) of the gross collections".

And when so amended recommend the same do pass.

N. P. JENSEN,  
Chairman.

Mr. Kapaun moved that the report be adopted, which motion prevailed and the report was adopted.

#### TWELFTH ORDER OF BUSINESS

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck North Dakota,  
March 1, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Which the Senate has amended as follows:

In the printed bill on page 2, line 15, strike out the words "by law" and insert the word "herein". On page 2, Section 2, line 5 after the word "hearing", insert the word "may".

On page 3, line 12 after the word mailed, add a period, strike out the balance of the Section.

On page 4, Section 6, line 3 after the word "any", strike out the words "prior or".

Very respectfully,

THOMAS McDONALD,  
Secretary.



Mr. Peterson of Renville moved that the House concur in the Senate amendments to House Bill No. 249.

Which motion prevailed.

Mr. Burgum moved that the rules be suspended and that House Bill No. 249 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 98; nays, 3; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Holthusen	Page
Anderson	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Johnson	Rait
Biberdorf	Jones	Ritter
Bieloh	Jury	Sand
Billigmeier	Just	Sandness
Bjornson	Kapaun	Saumur
Black	Knudson, Steele	Savre
Brown	Knutson, LaMoure	Schauss
Burgum	Krank	Schimke
Byrne	Kraus	Seibel
Caddell	LaBerge	Semerad
Dalzell	Langford	Severson
Day	Leum	Solberg
Dittmer	Livingston	Sticka
Dullea	McInnes	Stray
Fitch	McIntee	Symington
Frazier	Magill	Thoreson
Freitag	Morland	Treffry
Frey	Morris	Trydahl
Frosaker	Myers	Tuff
Gessner	Niewoehner	Tweten
Gilberg	Nelson, Cass	Urschel
Godwin	Nelson, Sargent	Wendland
Goodlaxon	Obach	Wick
Graham	O'Brien	Williams
Hagen	Odegard	Wolf
Haines	Oglesby	Mr. Speaker
Holm	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Norheim	Shure, Cass

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Levin	Thompson
Brusseau	Olson, Adams	Traynor
Greiser	Olson, McLean	Twichell
Hofstrand	Shurr, Bottineau	White

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

## SECOND READING OF SENATE BILLS

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide 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, 85; nays, 17; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Pewe
Anderson	Ireland	Rait
Anfinson	Jensen	Sandness
Beaton	Johnson	Saumur
Beggs	Jury	Savre
Benno	Just	Schauss
Biberdorf	Kapaun	Schimke
Bieloh	Knudson, Steele	Seibel
Billigmeier	Krank	Semerad
Bjornson	Kraus	Severson
Brown	LaBerge	Shure, Cass
Burgum	Langford	Shurr, Bottineau
Byrne	Leum	Solberg
Caddell	McIntee	Sticka
Dalzell	Morland	Stray
Fitch	Myers	Symington
Frazier	Niewoehner	Thompson
Freitag	Nelson, Cass	Thoreson
Frey	Nelson, Sargent	Traynor
Gessner	Norheim	Treffry
Gilberg	Obach	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Hagen	Olson, Bowman	Urschel
Haines	Olson, Sargent	Wendland
Holm	Page	Wick
Holmquist	Peterson, Bot'neau	Williams
Holthusen	Peterson, Renville	
Hultstrand	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Frosaker	Morris
Black	Graham	O'Brien
Blair	Jones	Sand
Day	Livingston	Twichell
Dittmer	McInnes	Mr. Speaker
Dullea	Magill	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Knutson, LaMoure	Ritter
Brusseau	Levin	White
Greiser	Olson, Adams	Wolf
Hofstrand	Olson, McLean	

So the bill passed and the title was agreed to.

Mr. Dalzell moved that the vote by which Senate Bill No. 256 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

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, 76; nays, 27; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Sand
Anderson	Holmquist	Sandness
Anfinson	Holthusen	Saumur
Beaton	Hultstrand	Savre
Beggs	Huseby	Schauss
Benno	Ireland	Schimke
Biberdorf	Kapaun	Seibel
Billigmeier	Krank	Semerad
Bjornson	Kraus	Severson
Black	Leum	Shurr, Bottineau
Burgum	Livingston	Solberg
Byrne	McInnes	Sticka
Caddell	McIntee	Stray
Day	Morris	Symington
Dullea	Myers	Thompson
Fitch	Niewoehner	Thoreson
Frazier	Nelson, Sargent	Treffry
Freitag	Obach	Trydahl
Frosaker	Odegard	Tuff
Gessner	Olson, Bowman	Tweten

Messrs.	Messrs.	Messrs.
Gilberg	Olson, Sargent	Twichell
Godwin	Peterson, Bot'neau	Urschel
Goodlaxon	Peterson, Renville	Wendland
Graham	Pewe	Wolf
Hagen	Rait	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jones	Norheim
Bieloh	Jury	O'Brien
Blair	Just	Oglesby
Brown	Knudson, Steele	Page
Dalzell	LaBerge	Peterson, Richland
Dittmer	Langford	Shure, Cass
Frey	Magill	Traynor
Jensen	Morland	Wick
Johnson	Nelson, Cass	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Knutson, LaMoure	Olson, McLean
Brusseau	Levin	Ritter
Greiser	Olson, Adams	White
Hofstrand		

So the bill passed and the title was agreed to.

Mr. Frazier moved that the vote by which Senate Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification 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, 93; nays, 7; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Richland
Akland	Huseby	Pewe
Anfinson	Ireland	Rait
Anderson	Jensen	Ritter
Beggs	Johnson	Sand
Benno	Jury	Sandness

Messrs.	Messrs.	Messrs.
Biberdorf	Just	Saumur
Bieloh	Kapaun	Savre
Billigmeier	Knutson, LaMoure	Schauss
Bjornson	Krank	Schimke
Black	Kraus	Seibel
Brown	LaBerge	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Fitch	Morris	Thompson
Frazier	Myers	Thoreson
Freitag	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Bowman	Wick
Holm	Page	Williams
Holmquist	Peterson, Renville	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Olson, Sargent	Traynor
Blair	Peterson, Bot'neau	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Hofstrand	Nelson, Sargent
Brusseau	Jones	Olson, Adams
Frey	Knudson, Steele	Olson, McLean
Frosaker	Levin	White
Greiser		

So the bill passed, and the emergency clause was declared carried.

Mr. Godwin moved that the title of the bill be amended by striking out the period at the end of the title, inserting a comma, and adding the following: "and declaring an emergency," which motion prevailed.

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of 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, 96; nays, 7; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knudson, Steele	Schauss
Black	Knutson, LaMoure	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Burgum	LaBerge	Severson
Byrne	Langford	Shure, Cass
Caddell	Leum	Shurr, Bottineau
Dalzell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Magill	Symington
Fitch	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Olson, Bowman	Wendland
Haines	Olson, Sargent	Wick
Holm	Page	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Oglesby	Wolf
Frazier	Peterson, Bot'neau	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Olson, Adams
Brusseau	Levin	Olson, McLean
Greiser	Nelson, Sargent	White.
Hofstrand		

So the bill passed and the title was agreed to.

Mr. Frazier: I vote "no" on this bill because I think it is another way of getting around the banking laws of the state. Therefore, I vote "no".

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

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, 96; nays, 4; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Jensen	Sand
Benno	Johnson	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Schauss
Billigmeier	Kapaun	Schimke
Bjornson	Knudson, Steele	Seibel
Black	Knutson, LaMoure	Semerad
Brown	Krank	Severson
Burgum	Kraus	Shure, Cass
Byrne	LaBerge	Shurr, Bottineau
Caddell	Langford	Solberg
Dalzell	Leum	Sticka
Day	Livingston	Stray
Dittmer	McInnes	Symington
Dullea	McIntee	Thompson
Fitch	Magill	Thoreson
Frazier	Morland	Traynor
Freitag	Morris	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Hagen	Olson, Bowman	Wick
Haines	Olson, Sargent	Williams
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Norheim	Pewe
Blair		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Olson, Adams
Brusseau	Levin	Olson, McLean
Godwin	Myers	Savre
Greiser	Nelson, Sargent	White
Hofstrand		

So the bill passed and the title was agreed to.

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use

of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration 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, 93; nays, 6; absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Richland
Anderson	Holthusen	Pewe
Anfinson	Hultstrand	Rait
Beaton	Huseby	Ritter
Beggs	Ireland	Sand
Benno	Jensen	Sandness
Biberdorf	Jury	Saumur
Bieloh	Just	Schimke
Billigmeier	Kapaun	Seibel
Bjornson	Knutson, LaMoure	Semerad
Black	Krank	Severson
Brown	Kraus	Shure, Cass
Burgum	LaBerge	Shurr, Bottineau
Byrne	Langford	Solberg
Caddell	Leum	Sticka
Dalzell	Livingston	Stray
Day	McInnes	Symington
Dittmer	McIntee	Thompson
Dullea	Magill	Thoreson
Fitch	Morland	Traynor
Freitag	Morris	Treffry
Frey	Myers	Tuff
Frosaker	Niewoehner	Tweten
Gessner	Norheim	Twichell
Gilberg	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Hagen	Olson, Bowman	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Trydahl
Frazier	Schauss	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Olson, Adams
Brusseau	Knudson, Steele	Olson, McLean
Godwin	Levin	Peterson, Renville
Greiser	Nelson, Cass	Savre
Johnson	Nelson, Sargent	

So the bill passed and the title was agreed to.

Mr. Byrne moved that the vote by which Senate Bill No. 179 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Wolf to the chair.

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Was read the second time.

Mr. Schauss moved that further consideration of Senate Bill No. 222 be indefinitely postponed.

Mr. Bjornson moved the previous question.

Which motion prevailed.

The question being on the motion of Mr. Schauss that further consideration of Senate Bill No. 222 be indefinitely postponed, a division was called for and the motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 53; nays, 51; absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Graham	O'Brien
Anderson	Hagen	Olson, Bowman

Messrs.	Messrs.	Messrs.
Beggs	Haines	Peterson, Renville
Benno	Holm	Peterson, Richland
Bieloh	Holmquist	Pewe
Bjornson	Holthusen	Rait
Black	Huseby	Sandness
Burgum	Ireland	Saumur
Byrne	Jensen	Schimke
Day	Jury	Seibel
Dullea	Just	Semerad
Frazier	LaBerge	Shurr, Bottineau
Freitag	Livingston	Solberg
Frey	McIntee	Stray
Frosaker	Magill	Treffry
Gessner	Morris	White
Godwin	Myers	Wolf
Goodlaxon	Niewoehner	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Knutson, LaMoure	Schauss
Anfinson	Krank	Severson
Beaton	Kraus	Shure, Cass
Biberdorf	Langford	Sticka
Billigmeier	Leum	Symington
Blair	McInnes	Thompson
Brown	Morland	Thoreson
Caddell	Nelson, Cass	Traynor
Dalzell	Norheim	Trydahl
Dittmer	Obach	Tuff
Fitch	Odegard	Tweten
Gilberg	Oglesby	Twichell
Hofstrand	Olson, Sargent	Urschel
Hultstrand	Page	Wendland
Johnson	Peterson, Bot'neau	Wick
Kapaun	Ritter	Williams
Knudson, Steele	Sand	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Olson, Adams
Brusseau	Levin	Olson, McLean
Greiser	Nelson, Sargent	Savre

So the bill was lost.

Mr. Kapaun: I vote "no" for the purpose of reconsideration.

Mr. Hagen: I vote "aye" on this bill because I feel sure it will bring hundreds of thousands of federal money into the state this year.

Mr. Oglesby: I vote "no" on this bill for the reason that for the rest of my days I would rather live under the flag of the United States than under the flag of Russia.

Mr. Akland: I vote "aye" because this is the only kind of water conservation that will help my county.

Mr. Blair: I voted "no" on this measure because I feel that our boasted freedom is vanishing rapidly enough without supporting a measure of this nature.

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Was read the second time.

Mr. Fitch moved that further consideration of Senate Bill No. 253 be indefinitely postponed, which motion prevailed.

Mr. Fitch moved that the vote by which Senate Bill No. 253 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Was read the second time.

Mr. Fitch moved that further consideration of Senate Bill No. 91 be indefinitely postponed. A division was called for and the motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 42; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Peterson, Richland
Beaton	Johnson	Peterson, Renville
Benno	Jury	Rait
Bieloh	Just	Sandness
Blair	Kapaun	Saumur
Rurgum	Knudson, Steele	Semerad
Caddell	Knutson, LaMoure	Shure, Cass
Day	Kraus	Shurr, Bottineau
Dittmer	Langford	Solberg
Frazier	Leum	Symington
Freitag	McInnes	Thompson
Gessner	Morland	Thoreson
Goodlaxon	Niewoehner	Traynor
Graham	Nelson, Cass	Treffry
Holm	Norheim	Trydahl
Holmquist	O'Brien	Twichell
Holthusen	Odegard	Urschel
Hultstrand	Oglesby	Wendland
Huseby	Olson, Bowman	White
Ireland	Olson, Sargent	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Godwin	Pewe
Anderson	Hagen	Ritter

Messrs.	Messrs.	Messrs.
Anfinson	Haines	Sand
Beggs	Hofstrand	Schauss
Biberdorf	Krank	Schimke
Billigmeier	LaBerge	Seibel
Bjornson	Livingston	Severson
Black	McIntee	Sticka
Brown	Magill	Stray
Byrne	Morris	Tuff
Dalzell	Myers	Tweten
Fitch	Obach	Wick
Frey	Page	Wolf
Gilberg	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Greiser	Olson, Adams
Brusseau	Jones	Olson, McLean
Dullea	Levin	Savre
Frosaker	Nelson, Sargent	

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which Senate Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies 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, 47; nays, 53; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beaton	Holthusen	O'Brien
Bieloh	Huseby	Peterson, Renville
Black	Jensen	Peterson, Richland
Blair	Johnson	Rait
Burgum	Jury	Ritter
Byrne	Kapaun	Sandness
Day	Knudson, Steele	Saumur
Dullea	LaBerge	Seibel
Frazier	Langford	Semerad
Freitag	Leum	Thompson
Frosaker	Livingston	Traynor
Gessner	McInnes	Trydahl
Godwin	McIntee	Twichell
Graham	Magill	Williams
Holm	Morris	Wolf
Holmquist	Niewoehner	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Schimke
Akland	Ireland	Severson
Anderson	Just	Shure, Cass
Anfinson	Knutson, LaMoure	Shurr, Bottineau
Beggs	Krank	Solberg
Benno	Morland	Sticka
Biberdorf	Nelson, Cass	Stray
Billigmeier	Norheim	Symington
Bjornson	Obach	Thoreson
Brown	Odegard	Treffry
Caddell	Oglesby	Tuff
Dalzell	Olson, Bowman	Tweten
Dittmer	Olson, Sargent	Urschel
Frey	Page	Wendland
Gilberg	Peterson, Bot'neau	White
Goodlaxon	Pewe	Wick
Hagen	Sand	Mr. Speaker
Haines	Schauss	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Nelson, Sargent
Brusseau	Kraus	Olson, Adams
Fitch	Levin	Olson, McLean
Greiser	Myers	Savre
Hultstrand		

So the bill was lost.

Mr. Schauss moved that the vote by which Senate Bill No. 110 was lost be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; 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, 84; nays, 16; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Obach
Akland	Haines	O'Brien

Messrs.	Messrs.	Messrs.
Anderson	Holm	Odegard
Anfinson	Holmquist	Olson, Bowman
Beaton	Holthusen	Peterson, Renville
Beggs	Hultstrand	Pewe
Benno	Huseby	Rait
Biberdorf	Ireland	Ritter
Bieloh	Johnson	Sandness
Billigmeier	Jury	Saumur
Bjornson	Just	Schimke
Black	Kapaun	Seibel
Brown	Knudson, Steele	Semerad
Burgum	Knutson, LaMoure	Severson
Byrne	Krank	Shurr, Bottineau
Caddell	Kraus	Solberg
Day	LaBerge	Sticka
Dittmer	Langford	Stray
Dullea	Leum	Thompson
Fitch	Livingston	Thoreson
Frazier	McInnes	Treffry
Freitag	McIntee	Tuff
Frey	Magill	Urschel
Frosaker	Morland	Wendland
Gilberg	Morris	White
Godwin	Myers	Wick
Goodlaxon	Niewoehner	Williams
Graham	Norheim	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Page	Traynor
Dalzell	Peterson, Bot'neau	Trydahl
Hofstrand	Sand	Tweten
Jensen	Shure, Cass	Twichell
Oglesby	Symington	Mr. Speaker
Olson, Sargent		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Levin	Olson, McLean
Brusseau	Nelson, Cass	Peterson, Richland
Gessner	Nelson, Sargent	Savre
Greiser	Olson, Adams	Schauss
Jones		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Confering Additional Power Upon Municipalities; 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, 81; nays, 18; absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	O'Brien
Anderson	Holmquist	Odegard
Anfinson	Holthusen	Olson, Bowman
Beaton	Hultstrand	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Biberdorf	Ireland	Pewe
Bieloh	Jensen	Rait
Billigmeier	Johnson	Sand
Bjornson	Jury	Sandness
Black	Just	Saumur
Brown	Kapaun	Seibel
Burgum	Knutson, LaMoure	Semerad
Byrne	Krank	Severson
Caddell	Kraus	Shurr, Bottineau
Day	LaBerge	Solberg
Dullea	Langford	Sticka
Frazier	Leum	Stray
Freitag	Livingston	Thompson
Frey	McInnes	Thoreson
Frosaker	McIntee	Treffry
Gessner	Magill	Tweten
Gilberg	Morland	Urschel
Godwin	Morris	Wendland
Goodlaxon	Myers	White
Graham	Niewoehner	Wick
Hagen	Nelson, Cass	Williams
Haines	Obach	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Norheim	Shure, Cass
Blair	Oglesby	Symington
Dalzell	Olson, Sargent	Trydahl
Dittmer	Page	Tuff
Hofstrand	Peterson, Bot'neau	Twichell
Knudson, Steele	Ritter	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Savre
Benno	Levin	Schauss
Brusseau	Nelson, Sargent	Schimke
Fitch	Olson, Adams	Traynor
Greiser	Olson, McLean	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinanc-

ing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; 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, 73; nays, 20; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Graham	O'Brien
Akland	Haines	Odegard
Anfinson	Holm	Olson, Bowman
Beaton	Holthusen	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Benno	Ireland	Pewe
Biberdorf	Jensen	Rait
Bieloh	Just	Sandness
Billigmeier	Kapaun	Saumur
Bjornson	Knudson, Steele	Schimke
Black	Knutson, LaMoure	Seibel
Brown	Krank	Semerad
Burgum	LaBerge	Severson
Byrne	Langford	Shurr, Bottineau
Caddell	Leum	Solberg
Day	Livingston	Stray
Dullea	McInnes	Thompson
Fitch	McIntee	Thoreson
Frazier	Magill	Treffry
Freitag	Morland	Urschel
Frey	Morris	Wendland
Frosaker	Myers	White
Gessner	Nelson, Cass	Williams
Godwin	Obach	Wolf
Goodlaxon		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Trydahl
Dalzell	Olson, Sargent	Tuff
Dittmer	Page	Tweten
Hofstrand	Sand	Twichell
Jury	Shure, Cass	Wick
Kraus	Sticka	Mr. Speaker
Norheim	Symington	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Olson, McLean
Beasley	Johnson	Peterson, Bot'neau
Brusseau	Jones	Ritter
Gilberg	Levin	Savre



Messrs.	Messrs.	Messrs.
Greiser	Niewoehner	Schauss
Hagen	Nelson, Sargent	Traynor
Holmquist	Olson, Adams	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved to reconsider the action by which Senate Bill No. 70 was made a special order of business for 11:00 o'clock tomorrow.

Which motion prevailed.

Mr. Godwin moved that action on Senate Bill No. 70 be made a special order of business for 12:45 tomorrow.

Which motion prevailed.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

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, 80; nays, 16; absent and not voting 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Odegard
Anderson	Holm	Olson, Bowman
Anfinson	Holthusen	Olson, Sargent
Beaton	Hultstrand	Page
Beggs	Huseby	Peterson, Renville
Benno	Ireland	Peterson, Richland
Biberdorf	Jensen	Rait
Billigmeier	Jury	Ritter
Blair	Just	Sand
Brown	Kapaun	Sandness
Burgum	Krank	Saumur
Byrne	Kraus	Schauss
Caddell	LaBerge	Shure, Cass
Day	Langford	Shurr, Bottineau
Dullea	Leum	Solberg
Fitch	Livingston	Sticka
Frazier	McInnes	Symington
Freitag	McIntee	Thompson
Frey	Magill	Thoreson
Frosaker	Morland	Trydahl
Gessner	Morris	Tuff
Gilberg	Myers	Tweten
Godwin	Niewoehner	Urschel
Goodlaxon	Nelson, Cass	White

Messrs.	Messrs.	Messrs.
Graham	Norheim	Wolf
Hagen	Obach	Mr. Speaker
Haines	O'Brien	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Oglesby	Treffry
Bieloh	Pewe	Twichell
Dalzell	Seibel	Wendland
Dittmer	Semerad	Wick
Knudson, Steele	Severson	Williams
Knutson, LaMoure		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Peterson, Bot'neau
Bjornson	Jones	Savre
Black	Levin	Schimke
Brusseau	Nelson, Sargent	Stray
Greiser	Olson, Adams	Traynor
Holmquist	Olson, McLean	

So the bill passed and the title was agreed to.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

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, 77; nays, 16; absent and not voting 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	O'Brien
Anderson	Holmquist	Olson, Bowman
Anfinson	Holthusen	Olson, Sargent
Beaton	Hultstrand	Page
Beggs	Huseby	Peterson, Renville
Benno	Ireland	Peterson, Richland
Biberdorf	Jensen	Pewe
Billigmeier	Just	Rait
Black	Kapaun	Sand
Byrne	Knudson, Steele	Sandness
Caddell	Knutson, LaMoure	Saumur
Dalzell	Krank	Severson
Day	Kraus	Shurr, Bottineau
Dittmer	LaBerge	Solberg
Dullea	Langford	Sticka
Fitch	Leum	Symington
Frazier	Livingston	Thompson
Freitag	McInnes	Thoreson
Frosaker	McIntee	Treffry

Messrs.	Messrs.	Messrs.
Gessner	Magill	Trydahl
Gilberg	Morland	Tweten
Goodlaxon	Morris	Urschel
Graham	Myers	Wendland
Hagen	Niewoehner	White
Haines	Nelson, Cass	Wolf
Hofstrand	Obach	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Norheim	Shure, Cass
Bieloh	Odegard	Tuff
Blair	Oglesby	Twichell
Brown	Seibel	Wick
Johnson	Semerad	Williams
Jury		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Savre
Bjornson	Levin	Schauss
Brusseau	Nelson, Sargent	Schimke
Burgum	Olson, Adams	Stray
Frey	Olson, McLean	Traynor
Godwin	Peterson, Bot'neau	Mr. Speaker
Greiser	Ritter	

So the bill passed and the title was agreed to.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

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, 46; absent and not voting 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Obach
Anderson	Holthusen	Olson, Bowman
Anfinson	Hultstrand	Page
Beaton	Ireland	Peterson, Renville
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knudson, Steele	Schauss
Billigmeier	LaBerge	Solberg
Burgum	Leum	Sticka
Byrne	Livingston	Symington
Day	McInnes	Thompson
Dullea	Magill	Trydahl
Frey	Morland	Urschel
Gessner	Morris	White

Messrs.	Messrs.	Messrs.
Gilberg	Myers	Wolf
Goodlaxon	Niewoehner	Mr. Speaker
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Pewe
Bieloh	Johnson	Rait
Black	Jury	Seibel
Blair	Knutson, LaMoure	Semerad
Brown	Krank	Severson
Caddell	Kraus	Shure, Cass
Dalzell	Langford	Shurr, Bottineau
Dittmer	McIntee	Thoreson
Fitch	Nelson, Cass	Treffry
Frazier	Norheim	Tuff
Freitag	O'Brien	Tweten
Frosaker	Odegard	Twichell
Hofstrand	Oglesby	Wendland
Holm	Olson, Sargent	Wick
Holmquist	Peterson, Richland	Williams
Huseby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Ritter
Bjornson	Levin	Saumur
Brusseau	Nelson, Sargent	Savre
Godwin	Olson, Adams	Schimke
Graham	Olson, McLean	Stray
Greiser	Peterson, Bot'neau	Traynor

So the bill was lost.

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation 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, 56; nays, 43; absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Olson, Bowman
Anfinson	Hultstrand	Page
Beggs	Ireland	Peterson, Renville
Benno	Johnson	Ritter
Brown	Kapaun	Sand
Burgum	Knudson, Steele	Sandness
Byrne	Krank	Saumur
Dalzell	LaBerge	Severson

Messrs.	Messrs.	Messrs.
Day	Holmquist	Shure, Cass
Dullea	Leum	Shurr, Bottineau
Frazier	Livingston	Solberg
Frey	McInnes	Symington
Frosaker	Magill	Thompson
Gessner	Morland	Trydahl
Gilberg	Morris	Tuff
Godwin	Myers	Urschel
Graham	Obach	White
Hagen	O'Brien	Wolf
Haines	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Pewe
Akland	Jensen	Rait
Beaton	Jury	Schauss
Biberdorf	Just	Seibel
Bieloh	Knutson, LaMoure	Semerad
Billigmeier	Kraus	Sticka
Black	Langford	Thoreson
Blair	McIntee	Treffry
Caddell	Niewoehner	Tweten
Dittmer	Nelson, Cass	Twichell
Fitch	Norheim	Wendland
Freitag	Oglesby	Wick
Goodlaxon	Olson, Sargent	Williams
Hofstrand	Peterson, Richland	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Levin	Savre
Bjornson	Nelson, Sargent	Schimke
Brusseau	Olson, Adams	Stray
Greiser	Olson, McLean	Traynor
Jones	Peterson, Bot'neau	

So the bill was lost.

#### SEVENTH ORDER OF BUSINESS

Mr. Freitag moved that further consideration of Senate Bill No. 114 be indefinitely postponed.

Mr. Solberg offered as a substitute motion that action on Senate Bill No. 114 be deferred one legislative day.

Which motion prevailed.

Mr. Burgum moved that action on Senate Bill No. 116 be deferred one legislative day.

Which motion prevailed.

Mr. Godwin moved that further consideration of Senate Bill No. 154 be indefinitely postponed. A division was called for, and the motion prevailed.

Mr. Twichell moved that the vote by which Senate Bill No. 154 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table. A roll call was demanded and granted.

ROLL CALL

The question being on Mr. Twichell's motion, the roll was called and there were ayes, 68; nays, 31; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Richland
Akland	Holmquist	Rait
Anderson	Holthusen	Ritter
Anfinson	Hultstrand	Sand
Beaton	Huseby	Schauss
Beggs	Johnson	Seibel
Benno	Just	Semerad
Biberdorf	Knutson, LaMoure	Shure, Cass
Bieloh	Krank	Shurr, Bottineau
Billigmeier	Kraus	Sticka
Black	Leum	Thoreson
Blair	Livingston	Traynor
Caddell	McInnes	Treffry
Dalzell	McIntee	Tuff
Dittmer	Magill	Twetén
Fitch	Morland	Twichell
Freitag	Myers	Urschel
Frosaker	Nelson, Cass	White
Godwin	Norheim	Wick
Goodlaxon	Obach	Williams
Graham	Odegard	Wolf
Hagen	Olson, Sargent	Mr. Speaker
Haines	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brown	Jensen	Peterson, Renville
Burgum	Jury	Pewe
Byrne	Kapaun	Sandness
Day	Knudson, Steele	Saumur
Dullea	LaBerge	Severson
Frazier	Langford	Solberg
Frey	Morris	Symington
Gessner	O'Brien	Thompson
Gilberg	Oglesby	Trydahl
Holm	Olson, Bowman	Wendland
Ireland		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Olson, McLean	Peterson, Bot'neau
Bjornson	Levin	Savre
Brusseau	Niewoehner	Schimke
Greiser	Nelson, Sargent	Stray
Jones	Olson, Adams	

So the motion prevailed.

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

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, 70; nays, 25; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Page
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Ritter
Benno	Huseby	Sand
Bieloh	Knudson, Steele	Sandness
Blair	Knutson, LaMoure	Saumur
Burgum	Krank	Schauss
Byrne	Kraus	Severson
Caddell	LaBerge	Shure, Cass
Day	Langford	Shurr, Bottineau
Dalzell	Leum	Sticka
Dullea	Livingston	Symington
Fitch	McInnes	Thompson
Freitag	Magill	Thoreson
Frosaker	Morland	Traynor
Gessner	Morris	Trydahl
Gilberg	Myers	Tweten
Godwin	Niewoehner	Twichell
Goodlaxon	Norheim	Urschel
Graham	Obach	White
Hagen	O'Brien	Williams
Haines	Olson, Bowman	Wolf
Hofstrand	Olson, Sargent	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Seibel
Beaton	Jury	Semerad
Biberdorf	Kapaun	Solberg
Billigmeier	McIntee	Treffry
Black	Nelson, Cass	Tuff
Brown	Odegard	Wendland
Dittmer	Oglesby	Wick
Frazier	Pewe	
Frey	Rait	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jensen	Olson, McLean
Beggs	Jones	Peterson, Bot'neau
Bjornson	Just	Peterson, Renville
Brusseau	Levin	Savre

Messrs.	Messrs.	Messrs.
Greiser	Nelson, Sargent	Schimke
Ireland	Olson, Adams	Stray

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Fitch 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.

The Speaker resumed the chair.

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment 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, 85; nays, 10; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Sargent
Akland	Holm	Page
Anderson	Holthusen	Peterson, Richland
Anfinson	Fultstrand	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Knudson, Steele	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Black	LaBerge	Schauss
Blair	Langford	Seibel
Brown	Leum	Semerad
Burgum	Levin	Severson
Byrne	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Thompson
Dittmer	Morland	Thoreson
Dullea	Morris	Traynor
Fitch	Myers	Treffry
Frazier	Niewoehner	Trydahl
Freitag	Nelson, Cass	Tuff
Frey	Norheim	Twichell
Frosaker	Obach	White
Gilberg	O'Brien	Wick
Godwin	Odegard	Williams



Messrs.	Messrs.	Messrs.
Goodlaxon	Oglesby	Wolf
Graham	Olson, Bowman	Mr. Speaker
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Jury	Symington
Gessner	Kraus	Tweten
Hofstrand	Shure, Cass	Wendland
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jones	Peterson, Bot'neau
Bjornson	Just	Peterson, Renville
Brusseau	Kapaun	Savre
Greiser	Nelson, Sargent	Schimke
Holmquist	Olson, Adams	Stray
Jensen	Olson, McLean	Urschel

So the bill passed and the title was agreed to.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that action on Senate Bill No. 151 be deferred one legislative day.

Which motion prevailed.

Mr. Schauss moved that further consideration of Senate Bill No. 205 be indefinitely postponed.

Which motion prevailed.

Mr. Schauss moved that the vote by which Senate Bill No. 205 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Adam moved that further consideration of Senate Bill No. 189 be indefinitely postponed.

Which motion prevailed.

Mr. Knutson of LaMoure moved that the vote by which Senate Bill No. 189 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, 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, 88; nays, 3; absent and not voting 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Oglesby
Anderson	Holm	Olson, Bowman
Beaton	Holmquist	Olson, Sargent
Beggs	Holthusen	Page
Benno	Hultstrand	Peterson, Richland
Biberdorf	Huseby	Pewe
Bieloh	Ireland	Rait
Billigmeier	Johnson	Ritter
Black	Jury	Sandness
Blair	Knudson, Steele	Semerad
Brown	Knutson, LaMoure	Severson
Burgum	Krank	Shure, Cass
Byrne	Kraus	Shurr, Bottineau
Caddell	LaBerge	Solberg
Dalzell	Langford	Sticka
Day	Leum	Symington
Dittmer	Livingston	Thompson
Dullea	McInnes	Thoreson
Fitch	McIntee	Traynor
Frazier	Magill	Treffry
Freitag	Morland	Trydahl
Frey	Morris	Tuff
Frosaker	Myers	Tweten
Gessner	Nelson, Cass	Twichell
Gilberg	Niewoehner	Urschel
Godwin	Norheim	Wendland
Goodlaxon	Obach	Wick
Graham	O'Brien	Wolf
Hagen	Odegard	Mr. Speaker
Haines		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Peterson, Renville	Seibel	White

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Just	Sand
Anfinson	Kapaun	Saumur
Beasley	Levin	Savre
Bjornson	Nelson, Sargent	Schauss
Brusseau	Olson, Adams	Schimke
Greiser	Olson, McLean	Stray
Jensen	Peterson, Bot'neau	Williams
Jones		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Page moved that the vote by which Senate Bill No. 247 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that action on Senate Bill No. 11 be deferred on legislative day.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 185 be placed on the calendar.

Which motion prevailed.

Mr. Traynor moved that Mr. Greiser be relieved from his duties on the conference committee appointed to confer with the Senate conference committee on House Bill No. 45, and that the Speaker appoint a new member on such committee, which motion prevailed and the Speaker appointed to such committee, Representative Rait.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Foster Gordon, LaMoure; J. S. Sagmiller, Bowman; Ole Knutson, Thompson; Mr. and Mrs. Paul Bennett, Bismarck; E. F. Pewe, Dillon, Mont.; Tony Bren, Wangel Bren, Minning; Nels Quale, John Olson, Helge Sherven, Alfred Anderson, all of Charlson; Teddy C. Ritter, Burnstad; Albert Erbele, Lehr; Ed Haag, Fredonia; Robert Wolf, Freelnier; Emil Oirn, Emly Blank, Crosby; Bert Cossen, Ambrose; Henry Blank, Crosby; A. P. Stolz, E. E. Stolz, Beulah; Adam Hempel, Louis Wagner, Fred C. Dockter, Mike Dockter, John Metz, all of McClusky; Mr. and Mrs. H. O. Vanaas, Wilton; H. G. Lewis, Kulm; Mr. Stern, Fargo; Guy Elken, Mayville; Paul Luwm, Mayville; Eugene G. Huckle, Valley City; Val Gerving, Mike Gerving, Glen Ullin; Ben Champlin, Minnewaukan; Grace Richardson, C. B. Johnson, Mandan; Grey L. Elken, Mayville; Foster Gordon, LaMoure.

Mr. Godwin moved that the House recess until 12:30 P. M. tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-SIXTH DAY AFTER RECESS AND  
FIFTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

The House convened at 12:30 P. M., pursuant to recess, Speaker Dahl presiding.

## SEVENTH ORDER OF BUSINESS

Mr. Kapaun moved that the vote by which Senate Bill No. 222 was lost be reconsidered.

Mr. Schauss moved that Senate Bill No. 222 be laid on the table. A division was called for, and Mr. Schauss' motion was lost.

The question being on the original motion of Mr. Kapaun, the motion prevailed.

Mr. Kapaun moved that Senate Bill No. 222 be placed on the calendar. A division was called for and the motion prevailed.

Mr. Day moved that the vote by which Senate Bill No. 163 was lost be reconsidered.

Mr. Fitch moved that Mr. Day's motion be laid on the table, which motion prevailed.

Mr. Dalzell moved that the vote by which Senate Bill No. 17 was lost be reconsidered, which motion prevailed.

Mr. Godwin moved that Senate Bill No. 17 be placed on the calendar, which motion prevailed.

Senate Bill No. 70 having been made a special order of business for 12:45, the House took up consideration of such bill.

Mr. Solberg asked the unanimous consent of the House to amend Senate Bill No. 70 by striking out Section 2 of the amended bill and inserting in lieu thereof Section 2 of the bill as originally introduced, which consent was not granted.

Mr. Trydahl asked the unanimous consent of the House to amend Senate Bill No. 70 by dividing the words "in equity" where they are written together in Section 6, which consent was granted.

Mr. Trydahl moved that the rules be suspended and that Senate Bill No. 70 be considered properly re-engrossed and placed on 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, 89; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Jensen	Peterson, Richland
Anderson	Johnson	Pewe
Anfinson	Jones	Rait
Beaton	Just	Ritter
Beggs	Kapaun	Sand
Benno	Knudson, Steele	Saumur
Biberdorf	Knutson, LaMoure	Savre
Bieloh	Krank	Schauss
Billigmeier	Kraus	Schimke
Bjornson	LaBerge	Seibel
Black	Leum,	Semerad
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dittmer	McInnes	Sticka
Fitch	McIntee	Stray
Frazier	Magill	Thoreson
Freitag	Morland	Traynor
Frosaker	Morris	Treffry
Gessner	Myers	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	Norheim	Tweten
Greiser	Obach	Twichell
Hagen	O'Brien	Urschel
Haines	Odegard	White
Hofstrand	Oglesby	Wick
Holm	Olson, Adams	Williams
Holmquist	Olson, Bowman	Wolf
Holthusen	Olson, McLean	Mr. Speaker
Hultstrand	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Goodlaxon	Peterson, Renville
Blair	Graham	Sandness
Brown	Ireland	Severson
Burgum	Jury	Solberg
Dalzell	Langford	Symington
Day	Niewoehner	Thompson

Messrs.	Messrs.	Messrs.
Dullea	Nelson, Sargent	Wendland
Frey	Olson, Sargent	

Absent and not voting:

Messrs.  
Brusseau

So the bill passed and the title was agreed to, and the emergency clause was declared passed.

Mr. Twichell moved that the vote by which Senate Bill No. 70 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Ireland: I am voting "no" on this bill because of Section 2, that gives the big corporation farmers a chance to slip out from under this tax. We have examples in our own county, and I put it up to some of the backers of this bill, and they couldn't deny that under Section 2 some of the people could get out from under this load. Further, I am voting "no" on this because I have been taught, and told, by the majority faction of this house, that whenever the Fargo bunch was for something I could be sure it was wrong, and the Fargo bunch is with this bill. I have nothing against the Fargo bunch at all, but those are the instructions I have had all the time.

Mr. Magill: I am voting "aye" on this bill because we have got to have an income tax bill. We have also agreed that this is the best income tax bill that has so far appeared before the legislature. And further for the reason that I don't give a damn about the Fargo bunch, or anything else so long as my own self approves of my action.

Mr. Niewoehner: I vote "no" because I consider Section 2 to be a loophole which should be stopped up. If the proposed amendment had been put in I would have voted "aye".

Mr. Solberg: I vote "no" on this bill for the same reason as the other gentlemen. In regard to my objection to Section 2 on page 1591 of the House Journal, whenever the proposed amendment is inserted in that Section I will support the bill. I vote "no".

Mr. Thompson: I vote "no" on this bill. I realize we need an income tax bill, but this bill was gotten up, in my mind, to let some of the fellows best able to pay their taxes out from under the income tax law. I vote "no".

Mr. Hagen: I vote "aye" on this bill for exactly the same reason given by Mr. Magill.

Mr. Godwin moved that the rules be suspended and that the House proceed on the Fourteenth Order of Business.

Which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

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, 92; nays, 12; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Pewe
Akland	Ireland	Rait
Anfinson	Johnson	Ritter
Beasley	Jury	Sand
Beggs	Just	Sandness
Benno	Kapaun	Savre
Biberdorf	Knudson, Steele	Schimke
Bieloh	Knutson, LaMoure	Semerad
Billigmeier	Krank	Severson
Bjornson	Kraus	Shure, Cass
Black	LaBerge	Shurr, Bottineau
Blair	Langford	Solberg
Brown	Leum	Sticka
Brusseau	Levin	Stray
Byrne	Livingston	Symington
Dalzell	McInnes	Thompson
Day	McIntee	Thoreson
Dullea	Magill	Traynor
Freitag	Morland	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	White
Hagen	Olson, McLean	Wick
Hofstrand	Page	Williams
Holm	Peterson, Bot'neau	Wolf
Holmquist	Peterson, Renville	Mr. Speaker
Holthusen	Peterson, Richland	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Frazier	Odegard
Beaton	Haines	Olson, Bowman
Caddell	Jones	Olson, Sargent
Dittmer	Nelson, Sargent	Seibel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Burgum	Hultstrand	O'Brien
Fitch	Jensen	Saumur
Godwin	Morris	Schauss

So the bill passed and the title was agreed to.

Mr. Page moved that the vote by which Senate Bill No. 248 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Wolf to the chair.

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed 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, 89, nays, 12; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Sargent
Anderson	Holm	Page
Anfinson	Holmquist	Peterson, Bot'neau
Beaton	Holthusen	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Benno	Ireland	Pewe
Biberdorf	Jensen	Rait
Bieloh	Johnson	Ritter
Billigmeier	Jones	Sand
Bjornson	Jury	Savre
Black	Krank	Schimke
Blair	Kraus	Semerad
Brown	LaBerge	Shure, Cass
Burgum	Langford	Shurr, Bottineau
Byrne	Leum	Solberg
Caddell	Levin	Sticka
Dalzell	Livingston	Stray
Day	McInnes	Symington
Dittmer	McIntee	Thompson
Dullea	Magill	Thoreson
Frazier	Morland	Traynor
Freitag	Morris	Treffry
Frosaker	Myers	Trydahl
Gessner	Nelson, Sargent	Tweten
Godwin	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Wolf
Haines	Olson, McLean	



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Nelson, Cass	Severson
Frey	Olson, Bowman	Tuff
Knudson, Steele	Sandness	Wendland
Knutson, LaMoure	Seibel	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	O'Brien
Brusseau	Just	Saumur
Fitch	Kapaun	Schauss
Gilberg	Niewoehner	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Tweten 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.

Mr. Williams: We have appropriated over a half million dollars for the Agricultural College for the next two years, and I should think that they could take care of the Seed Department without an extra appropriation. I vote "no" on this.

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Was read the second time.

Mr. Freitag asked the unanimous consent of the House to amend Senate Bill No. 246 by inserting the word "acceptable" after the word "no" and before the word "bids" in line 12 of Section 3, which consent was granted.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 246 be considered properly re-engrossed and placed on 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, 94; nays, 6; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Akland	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Jones	Ritter
Benno	Jury	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schimke
Black	LaBerge	Seibel
Brown	Langford	Semerad
Burgum	Leum	Severson
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dullea	Magill	Stray
Dittmer	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Godwin	Odegard	Urschel
Goodlaxon	Olson, Adams	Wendland
Graham	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Hagen	Olson, Sargent	Williams
Haines	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Fitch	Oglesby
Blair	Norheim	Trydahl

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Niewoehner
Brusseau	Just	Schauss
Byrne	Kraus	Shure, Cass
Hultstrand	Levin	Twichell
Jensen		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Peterson of Renville moved that the vote by which Senate Bill No. 246 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that Senate Bill No. 80 be re-referred to the Committee on Tax and Tax Laws.

Which motion prevailed.

Mr. Olson of Sargent moved that the vote by which Senate Bill No. 118 was lost be reconsidered, which motion prevailed.

Mr. Olson of Sargent moved that Senate Bill No. 118 be placed on the calendar.

Which motion prevailed.

Mr. Fitch moved that further consideration of Senate Bill No. 152 be indefinitely postponed, which motion prevailed.

Mr. Fitch moved that the vote by which Senate Bill No. 152 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Caddell moved that Senate Bill No. 244 be placed on the calendar, which motion was lost.

Mr. Schauss moved that the absent members be excused.

Which motion prevailed.

Mr. Niewoehner moved that the House adjourn, which motion prevailed and the House adjourned.

## FIFTY-SEVENTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. R. E. Strutz of Jamestown.

The roll was called, and all members were present except Representatives Benno, Brusseau, Godwin, Holthusen, Levin, Twichell and Wendland.

So a quorum was declared present.

## REPORT OF COMMITTEE ON REVISION AND CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 55th day after recess and 56th day and recommend that the same be corrected as follows:

Page 1631, line 47, after the words "passage of", strike out the words "the bill" and insert "House Bill No. 118".

Page 1632, line 46 after the words "passage of", strike out the words "the bill" and insert "House Bill No. 81".

Page 1635, line 4, change the figures "224" to read "244".

Page 1660, line 19 after the words "laid on the table", strike out the period and add a comma and the words "which motion prevailed".

Page 1662, after the vote on Senate Bill 110, insert the following: "So the bill was lost". "Mr. Schauss moved that the vote by which Senate Bill No. 110 was lost be reconsidered and the motion to reconsider be laid on the table, which motion was lost".

On page 1629, correct the last paragraph to read "Senate Bill No. 52", and pick up title.

On page 1670, Mr. Holmquist is shown as having voted "no" on Senate Bill No. 118, whereas he should be recorded as voting "aye".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Telegram from T. A. Torrier opposing petitions to the House of Representatives sent from outside of the state.

Petition signed by twenty-seven residents of Emmons County opposing House Bill No. 216.

Petitions signed by nineteen residents of Melville, seventeen residents of Southheart, forty-nine residents of Sawyer, fifty-three residents of Grafton, twenty-seven residents of Kenmare and twenty-three residents of Manfred, opposing Senate Bill No. 13.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled

Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Which the House has amended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use

of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Also,

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 137. A Bill for an Act Vesting in and Imposing Upon the State Welfare Board Additional Powers and Duties, Repealing Sections 283b6 and 283b7, Supplement to the Compiled Laws, 1913, and Declaring an Emergency.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 4444 and 4446 of Chapter 9 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing for Adoption of Minors and Adults, and Declaring an Emergency.

Also,

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Also,

Senate Bill No. 205. A Bill for an Act Empowering the State Public Health Advisory Council to Make, Amend, Repeal and Suspend Public Health Regulations Concerning the Production, Transportation, Processing, Handling, Sampling, Examination, Grading, Labeling, Regrading, and Sale of Milk and Milk Products, the Inspection of Health Certificates on Dairy Herds, Dairies and Milk Plants.

Also,

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Sub-section 19 of Section 3861 of the Compiled Laws of North Dakota for the Year 1913, Relating to Penalties Imposed for Violation of Village Ordinances; and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Provide a Method of Voting at any General or Primary Election by Electors

Absent or Anticipating Being Absent on the Day of Such Election from the County in Which They are Electors, Repealing Sections 992, 993, 995 and 996 of the Compiled Laws of North Dakota 1913 as Amended by Chapter 136 of the 1931 Session Laws and by Chapter 107 of the 1933 Session Laws, and Repealing Sections 994, 997, 998, 999, 1000, 1001, 1002, 1003 and 1004 of the Compiled Laws of North Dakota 1913, and Repealing all Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 183. A Bill for an Act to Authorize and Empower the Public Welfare Board to Borrow Money from the Bank of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 244. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Land and/or Materials to Be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing for the Payment of a Bounty on Crows.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 76. 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.

Also,

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society



for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Also,

Senate Bill No. 78. 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.

Also,

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

Senate Bill No. 37. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of

TUESDAY, MARCH 2, 1937

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State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to return herewith the following bills and resolutions:

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Also,

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a Penalty for the Violation of the Provisions Hereof.

Also,

HOUSE CONCURRENT RESOLUTION "T".

Also,

HOUSE CONCURRENT RESOLUTION "U".

Also,

HOUSE CONCURRENT RESOLUTION "W".

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to return herewith the following bills and resolutions:

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality,

**Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.**

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect There-to; and Penalties for Violations Hereof.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N $\frac{1}{2}$ ) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Po-

lice Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

HOUSE CONCURRENT RESOLUTION "E-1".

Also,

HOUSE CONCURRENT RESOLUTION "D-1".

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Clerk read a communication from the Shepard Telephone Company showing maintenance charge of \$15.00 for damage, and replacement tubes to microphone; total amount, \$15.00.

Mr. Burgum moved that the bill be allowed, and ordered paid.

#### ROLL CALL

The question being on Mr. Burgum's motion, the roll was called and there were ayes, 94; nays, 4; absent and not voting 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Adams
Akland	Hultstrand	Olson, Bowman
Anderson	Holm	Olson, McLean
Anfinson	Holmquist	Olson, Sargent
Beasley	Holthusen	Peterson, Bot'neau
Beaton	Huseby	Peterson, Renviile
Bennc	Ireland	Peterson, Richland
Biberdorf	Jones	Pewe
Billigmeier	Jury	Rait
Bjornson	Just	Sand
Black	Kapaun	Sandness
Blair	Knudson, Steele	Saumur
Brown	Knutson, LaMoure	Schimke
Burgum	Krank	Semerad
Byrne	Kraus	Severson
Caddell	LaBerge	Shurr, Bottineau
Dalzell	Langford	Sticka
Day	Leum	Stray
Dittmer	Livingston	Symington
Dullea	McInnes	Thompson
Fitch	McIntee	Thoreson
Frazier	Magill	Traynor
Freitag	Morland	Treffry
Frey	Morris	Trydahl
Frosaker	Myers	Tweten
Gessner	Niewoehner	Twichell
Gilberg	Nelson, Cass	Urschel
Godwin	Norheim	Wendland
Goodlaxon	O'Brien	White
Graham	Odegard	Williams
Greiser	Oglesby	Mr. Speaker
Hagen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Tuff	Wolf
Solberg		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Johnson	Savre
Bieloh	Levin	Schauss
Brusseau	Nelson, Sargent	Seibel
Hofstrand	Obach	Shure, Cass
Jensen	Ritter	Wick

So the motion prevailed and the bill was allowed and ordered paid.

#### REPORT OF THE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments of Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating



Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933; Declaring an Emergency.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

#### REPORTS OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "O", Expressing Assent of the Legislature of the State of North Dakota to the Provisions and Purpose of the Act Approved June 29th, 1935.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the House adopt Senate Concurrent Resolution "O", which motion prevailed and the Resolution was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 13. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening or Establishment of Stores in This State, Prescribing the License and Filing Fees to Be Paid Therefor, and the Disposition Thereof, and the Powers and Duties of the State Tax Commissioner in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Caddell moved that the report be adopted.

Mr. Sandness offered, as a substitute motion, that Senate Bill No. 13 be placed on the calendar, which motion was lost.

The question being on the original motion of Mr. Caddell a roll call was demanded and denied, and the motion prevailed.

Mr. Twichell moved that the vote by which Senate Bill No. 13 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Highways and Bridges made the following report:

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Providing for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Providing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

On page 20, line 15 of the printed bill, after the word "than" and before the word "patrolmen," strike out the figures "25" and insert in lieu thereof the figures "20".

On page 21 of the printed bill, strike out Senate amendment in line 33 and correct as follows: On page 21, line 47, following the word "Fund," strike out the period, insert a comma, and add the following language: "Provided, however, that the superintendent and no patrolman shall be paid within twenty per cent (20%) of the maximum salary provided for in this Act unless and until he shall have had two years experience as a highway patrolman in North Dakota."

Correct Senate amendment on page 905 of the Senate Journal as follows: In the second paragraph of Senator Lowe's amendment in the first line thereof, strike out the words "In

Section 67, add sub-section E" and insert in lieu thereof the words: "In Section 42, add sub-section F."

On page 23, Section 32, line 22 of the printed bill, following the word "of," strike out the words "such vehicle" and the comma (,) following the word "vehicle".

Strike out Senate amendment No. 21, (page 741, Senate Journal), amending line 31, page 64 of printed bill.

Strike out Senate amendment No. 29, (page 741, Senate Journal), amending line 55, page 65 of printed bill.

Strike out Senate amendment No. 30, (page 742, Senate Journal), and reinsert language stricken out by Senate amendment.

Strike out line 39, page 64 of the printed bill and renumber remaining lines in section. In line 40, on the same page, following the word "ton," add the following words: "and under".

On page 66, line 78 of the printed bill, following the word "be" and before the word "dollars," strike out the word "five" and insert in lieu thereof the word "eight".

On page 85, section 118, line 3 of the printed bill, following the word "this", strike out the word "Act" and insert in lieu thereof the word "article".

On page 71, lines 3 and 4, Section 100, Art. XI, after the word "duly" in line 2 and before the word "in" of line 4, strike out the words "registered dealer" and substitute in lieu thereof the word "applicant".

On page 72, line 14, following the word "designated", strike out the balance of line 14; all of lines 15, 16, 17; on line 18, strike out "cations and fees", leaving the period following the word "fees".

On page 73, line 33, following the word "herein" strike out the word "designed" and substitute therefor the word "designated".

On page 73, line 8, Section 101, strike out the colon following the word "provided", insert a comma, and add the following: "and shall include any charge for notarial service."

Amend Senate amendment No. 52, (page 744, Senate Journal), which is known as Section 3 which follows Section 2, page 175 of the printed bill, by striking out the figures "35,000" and inserting in lieu thereof the figures "40,000".

On page 181 of the printed bill, strike out all of Section D and insert in lieu thereof, the following language: "The Commissioner and/or his Maintenance Engineers shall likewise have authority as hereinbefore granted to local authorities to impose restrictions as to the weight of vehicles operated on any highway in the State Highway system and such restrictions shall be effective when signs giving notice thereof

are erected at each end of the highway or portion thereof affected by such restrictions."

And when so amended recommend the same do pass.

HARRY O'BRIEN,  
Chairman.

Mr. Stray moved that the report be adopted.

Mr. Twichell offered as a substitute motion that further consideration of Senate Bill No. 24 be indefinitely postponed.

A roll call was demanded and granted.

### ROLL CALL

The question being on Mr. Twichell's substitute motion, the roll was called and there were ayes, 52; nays, 56; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Pewe
Akland	Jones	Rait
Anderson	Knutson, LaMoure	Ritter
Biberdorf	Krank	Sand
Bieloh	Kraus	Schauss
Bjornson	Livingston	Seibel
Blair	McInnes	Semerad
Burgum	McIntee	Shure, Cass
Byrne	Niewoehner	Sticka
Caddell	Nelson, Cass	Treffry
Dalzell	Nelson, Sargent	Trydahl
Freitag	Odegard	Tuff
Godwin	Olson, Adams	Twichell
Greiser	Olson, McLean	Wick
Hagen	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Richland	Mr. Speaker
Jensen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anfinson	Holm	Olson, Sargent
Beaton	Holthusen	Peterson, Renville
Beggs	Huseby	Sandness
Benno	Ireland	Saumur
Billigmeier	Jury	Savre
Black	Just	Schimke
Brown	Kapaun	Severson
Day	Knudson, Steele	Shurr, Bottineau
Dittmer	LaBerge	Solberg
Dullea	Langford	Stray
Frazier	Leum	Symington
Frey	Magill	Thompson
Frosaker	Morland	Thoreson
Gessner	Morris	Traynor

Messrs.	Messrs.	Messrs.
Gilberg	Myers	Tweten
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Haines	Oglesby	White
Hofstrand	Olson, Bowman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Fitch	Norheim
Brusseau	Levin	

So the motion was lost.

The question being on the original motion of Mr. Stray, the motion prevailed.

A majority of your committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons to Positions in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL  
 E. KNUTSON of LaMoure  
 ED. McINTEE  
 F. J. HAINES  
 H. R. FREITAG  
 GEORGE BJORNSON  
 L. P. ODEGARD  
 VAL P. WOLF,  
 Chairman.

Mr. Caddell moved that the report be adopted.

A minority of your committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons to Positions in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Have had the same under consideration and recommend that the same do pass.

CHAS. H. BLACK  
 JOS. D. BYRNE  
 L. R. BURGUM  
 J. D. HOLTHUSEN  
 GEO. H. SAUMUR  
 EDWIN TRAYNOR  
 L. L. TWICHELL

Mr. Burgum moved that the report of the minority be substituted for the report of the majority. A roll call was demanded and granted.

Mr. Godwin moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on Mr. Burgum's motion, the roll was called and there were ayes, 50; nays, 57; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Holthusen	O'Brien
Benno	Huseby	Olson, Bowman
Black	Ireland	Page
Brown	Johnson	Peterson, Renville
Burgum	Jury	Peterson, Richland
Byrne	Just	Sandness
Dalzell	Kapaun	Saumur
Day	Knudson, Steele	Severson
Dullea	LaBerge	Solberg
Frey	Langford	Stray
Frosaker	Leum	Symington
Gessner	Magill	Thompson
Gilberg	Morland	Traynor
Goodlaxon	Morris	Trydahl
Graham	Niewoehner	Twichell
Hofstrand	Nelson, Cass	Williams
Holm	Nelson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Ritter
Akland	Jensen	Sand
Anderson	Jones	Savre
Anfinson	Knutson, LaMoure	Schauss
Beaton	Krank	Schimke
Beggs	Kraus	Seibel
Biberdorf	Livingston	Semerad
Bieloh	McInnes	Shure, Cass
Billigmeier	McIntee	Shurr, Bottineau
Bjornson	Myers	Sticka
Caddell	Norheim	Thoreson
Fitch	Obach	Treffry
Frazier	Odegard	Tuff
Freitag	Oglesby	Tweten
Godwin	Olson, Adams	Urschel
Greiser	Olson, McLean	White
Hagen	Peterson, Bot'neau	Wick
Haines	Pewe	Wolf
Holmquist	Rait	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Dittmer	Olson, Sargent
Brusseau	Levin	Wendland

So the motion was lost.

The question being on the original motion of Mr. Caddell that the report of the majority be adopted, the motion prevailed and Senate Bill No. 26 was indefinitely postponed.

Mr. Frazier moved that the vote by which Senate Bill No. 26 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 45.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee



on Senate Bills No. 29, 30, 31, 32, 81 and 104, and the President has appointed as a new Conference Committee, Senators Lowe, Kolpin and Stucke.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House revert to the Eighth Order of Business, and that at the completion of such business the House recess until 3:50 P. M.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933; Declaring an Emergency.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session

Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Also,

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

Senate Bill No. 37. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protection and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 78. 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.

Also,

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society

for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Also,

Senate Bill No. 76. 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.

Also,

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The House now recessed.

#### AFTER RECESS

The House convened at 3:50 P. M., pursuant to recess, Speaker Dahl presiding.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House request the Governor to return House Bill No. 24, House Bill No. 25, House Bill No. 26, House Bill No. 27 and House Bill No. 28.

Which motion prevailed.

#### MESSAGE TO THE GOVERNOR

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

3:55 P. M.

Mr. Governor: I have the honor to request the return of House Bills No. 24, 25, 26, 27 and 28.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House Bills Nos. 24, 25, 26, 27 and 28 were returned.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehousemen or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Applicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Were delivered to the Governor for his approval at the hour of 3:05 o'clock P. M., March 2, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 88. A Bill for an Act Making Unlawful Certain Discriminations in Price, in Services or Facilities Furnished, or in Payment for Services or Facilities to Be Rendered, in Connection with the Sale of Commodities in the Course of Trade or Commerce, and Providing Certain Remedies for Violation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL. P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Wolf moved that the vote by which Senate Bill No. 88 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 7971, Compiled Laws of 1913, Relating to Actions of quo warranto Against Usurping Officers and Others.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Freitag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Hagen moved that the vote by which Senate Bill No. 107 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, line 2 of the title after the word "Children" strike out the words "and for Child Welfare Services" and insert in lieu thereof a "semicolon" and the words "Making an Appropriation"; insert thereafter another "semicolon" and the words "Repealing All Acts or Parts of Acts in Conflict Herewith".

Printed bill, Section 1, line 3 after the word "children" strike out the words "and child welfare services".

Printed bill, Section 2, line 1, after the word "The" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Printed bill, Section 2, line 3 after the word "children" strike out the words "and child welfare services".

Printed bill, page 2, Section 3, line 3 after the word "the" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Printed bill, page 2, Section 3, line 4 after the word "Dakota" strike out the words "the Executive Director of such Board

through the Supervisor of the Child Welfare Division of the Public Welfare Board of North Dakota".

Page 2, Section 3, line 7 after the word "children" strike out the words "and such child welfare services".

Page 2, Section 3, line 9 after the word "the" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 2, Section 4, line 1, after the word "The" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 2, Section 4, line 5, item 2 strike out the entire "Item 2" consisting of lines 5, 6, 7, and 8.

Page 2, line 9 of Section 4 change the "Item 3" to read "Item 2".

Page 2, Section 4, line 12 after the word "plans" strike out the words "for child welfare services".

Page 2, Section 4, line 14 change the figure "4" to read "3".

Page 3, Section 4, line 17 change the figure "5" to read "4".

Page 3, Section 4, line 19 after the word "children" strike out the words "and child welfare services".

Page 3, Section 4, line 22 after the word "children" strike out the words "and child welfare services".

Page 3, Section 4, line 25 change the figure "6" to "5".

Page 3, Section 4, line 26 after the word "children" strike out the words "and child welfare services".

Page 3, Section 4, line 31 change the figure "7" to "6".

Page 3, Section 4, line 31 after the word "The" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 3, Section 4 after line 38 insert the new paragraph "7" as follows: "(7) Provided always that no official, or agent, or representative in carrying out the provisions of this measure shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parents or having custody of such child. Nothing herein shall be construed as limiting the power of a parent or guardian or person standing in loco parents to determine what treatment or correction shall be provided for a child, or the agency or agencies to be employed for such purposes."

Page 3, Section 5, beginning with the first line, strike out the entire Section 5, consisting of lines 1 to 9, inclusive.

Page 4, change Section "6" to read Section "5".

Page 4, Section 6, line 1 after the word "The", strike out

the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 4, Section 6, line 2 after the word "the", strike out the words "Supervisor of the Child Welfare Division" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 4, change Section "7" to Section "6".

Page 4, Section 7, line 1 after the word "The", strike out the words "Supervisor of the Child Welfare Division" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 5, strike out the entire "Section 8" consisting of lines 1 to 9, inclusive.

Page 5, change the second "Section 8" to read "Section 7".

Page 5, in the second Section 8, line 1 after the word "The", strike out the words "Public Welfare Board" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 5, Section 8, line 6 after the word "children", strike out the words "and child welfare services" and insert in lieu thereof a "comma".

Page 5, change "Section 10" to read "Section 8".

Page 5, Section 10, line 1 after the word "The", strike out the word "Supervisor" and insert in lieu thereof the word "Director".

Page 5, Section 10, line 2 after the word "the", strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 6, Section 10, line 6 after the word "children", strike out the words "and child welfare services".

Page 6, strike out the entire "Section 11" consisting of lines 1 to 9, inclusive, and insert the following "Section 9":

"Section 9. APPROPRIATION.) For the purpose of carrying on the services prescribed by this Act, the Public Welfare Board of North Dakota is hereby authorized and directed to transfer to the State Board of Administration out of monies that may hereafter be appropriated to the Public Welfare Board the sum of \$50,000.00 to be expended by the Board of Administration for aid to crippled children and to defray the expenses of administering same".

Page 6, strike out the entire "Section 12" consisting of lines 1 to 11, inclusive, and insert the following "Section 10":

"Section 10. REPEAL.) All Acts or parts of Acts in Conflict herewith are hereby repealed".

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.



Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL  
E. KNUTSON of LaMoure  
ED. McINTEE  
F. J. HAINES  
H. R. FREITAG  
GEORGE BJORNSON  
L. C. ODEGARD  
VAL P. WOLF  
Chairman.

Mr. Freitag moved that the report be adopted.

A minority of the committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

Have had the same under consideration and recommend that the same do pass.

EDWIN TRAYNOR  
L. L. TWICHELL  
CHAS. H. BLACK  
JOE D. BYRNE  
L. R. BURGUM  
J. D. HOLTHUSEN  
GEO. H. SAUMUR

Mr. Burgum moved that the report of the minority be substituted for the report of the majority. A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Burgum's substitute motion, the

roll was called and there were ayes, 54; nays, 52; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Norheim
Benno	Holthusen	O'Brien
Black	Huseby	Oglesby
Blair	Ireland	Olson, Bowman
Brown	Johnson	Olson, Sargent
Burgum	Just	Page
Byrne	Kapaun	Peterson, Renville
Dalzell	Knudson, Steele	Peterson, Richland
Day	Kraus	Sandness
Dittmer	Langford	Saumur
Dullea	Leum	Severson
Fitch	McInnes	Shure, Cass
Frey	Magill	Solberg
Frosaker	Morland	Symington
Gessner	Morris	Thompson
Gilberg	Niewoehner	Traynor
Goodlaxon	Nelson, Cass	Trydahl
Graham	Nelson, Sargent	Twichell

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Schimke
Akland	Knutson, LaMoure	Seibel
Anderson	Krank	Semerad
Anfinson	Livingston	Shurr, Bottineau
Beggs	McIntee	Sticka
Bieloh	Myers	Stray
Billigmeier	Obach	Thoreson
Bjornson	Odegard	Treffry
Caddell	Olson, Adams	Tuff
Frazier	Olson, McLean	Tweten
Freitag	Peterson, Bot'neau	Urschel
Godwin	Pewe	Wendland
Hagen	Rait	White
Haines	Ritter	Wick
Hofstrand	Sand	Williams
Holmquist	Savre	Wolf
Hultstrand	Schauss	Mr. Speaker
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Greiser	LaBerge
Biberdorf	Jones	Levin
Brusseau		

So the motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Sen-

ate has concurred in the House amendments to Senate Bill No. 20, 101.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 70.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR  
Bismarck

March 2, 1937.

To the Members of the House of Representatives, Twenty-fifth Legislative Assembly.

Partial Veto.

Honorable Members:

I herewith approve House Bill No. 44, providing an appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota, in the total sum of \$174,855.97, and disapprove all sums in excess of that amount; and the appropriations made for the following items in said bill I have stricken out or changed.

These actions were taken after a conference with the members of the State Board of Administration, having charge of this institution, and with their approval. The bill as so reduced from \$195,715.97 to \$174,855.97 is approved:

Operating Expense:

Item No. 3, Telephone, Telegraph, Postage, \$3,500.00, reduced to \$2,500.00.

Item No. 6, Printing, reduced from \$1,500.00 to \$800.00.

Item No. 8, Office Supplies, reduced from \$1,400.00 to \$1,000.00.

Item No. 10, Power House Supplies, reduced from \$5,000.00 to \$1,500.00.

Item No. 11, Janitors' Supplies, reduced from \$6,000.00 to \$5,000.00.

Item No. 16, Farm and Dairy Maintenance, reduced from \$17,000.00 to \$15,000.00.

Item No. 17, Garden, Greenhouse, Grounds, reduced from \$2,000.00 to \$500.00.

Item No. 19, Dishes, Crockery, Utensils, reduced from \$2,000.00 to \$500.00.

Improvements and Repairs:

Item No. 1, Farm and Garden Fence, I have stricken out, \$1,000.00.

Item No. 4, Sidewalk Extension, \$800.00, I have stricken out.

Item No. 5, Repairs, Administration Building, \$1,500.00, I have stricken out.

Item No. 6, General Improvements and Repairs, reduced from \$4,000.00 to \$3,000.00.

Equipment:

Item No. 2, Farm, reduced from \$1,000.00 to \$500.00.

Miscellaneous Items:

Item No. 1, Revolving Fund, \$1,500.00, I have stricken out.

Item No. 2, State at Large Maintenance, \$1,460.00, I have stricken out.

Respectfully,

WILLIAM LANGER,  
Governor.

#### REPORTS OF STANDING COMMITTEES

The Committee on Tax and Tax Laws made the following report:

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Have had the same under consideration and recommend the same without further recommendation.

N. P. JENSEN,  
Chairman.

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 80 be placed in General Orders for today.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 124 be placed in General Orders for today.

Which motion prevailed.

A majority of the committee on State Affairs made the following report:

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

Have had the same under consideration and recommend that the same do pass.

CHAS. H. BLACK  
 JOE D. BYRNE  
 L. R. BURGUM  
 J. D. HOLTHUSEN  
 GEO. H. SAUMUR  
 EDWIN TRAYNOR  
 L. L. TWICHELL

A minority of the committee on State Affairs made the following report:

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES CADDELL  
ED. McINTEE  
F. J. HAINES  
H. R. FREITAG  
L. C. ODEGARD  
VAL P. WOLF,  
Chairman.

Mr. Frazier moved that the report of the minority be substituted for the report of the majority, which motion prevailed, and Senate Bill No. 94 was indefinitely postponed.

Mr. Schauss moved that the vote by which Senate Bill No. 94 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. Speaker: Your Committee on Appropriations to whom was referred:

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, line 3 which is Section 1, line 3 of the printed bill after the word "of" strike out the figures "Twenty-five thousand Dollars (\$25,000.00)" and insert in lieu thereof the figures "Twenty Thousand Dollars (\$20,000.00)".

In the engrossed bill, Section 1, line 9, which is Section 1, line 10 of the printed bill after the figures "1939" strike out the "comma" and insert in lieu thereof a "period" and strike out entirely the remainder of the bill.

And when so amended recommend the same do pass.

PAUL A. SAND,  
Chairman.

Mr. Beggs moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimenta-

tion and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Bjornson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. Speaker: Your Committee on Livestock to whom was referred:

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

W. W. TREFFRY,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Have had the same under consideration and recommend that the same do pass.

VAL P. WOLF,  
Chairman.

Mr. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the committee on Education made the following report:

Mr. Speaker: A majority of your Committee on Education to whom was referred:

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

JOHN MAGILL  
 NELLIE C. OLSON  
 C. M. PETERSON, Renville  
 FRANK H. BEATON  
 EDWIN K. LIVINGSTON  
 HENRY LEUM  
 A. C. JOHNSON  
 GUS A. SCHAUSS

Chairman.

Mr. Schauss moved that the report be adopted.

A minority of the committee on Education made the following report:

Mr. Speaker: A minority of your Committee on Education to whom was referred:

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES G. THORESON  
 HERMAN JUST, Jr.  
 P. K. HOLM  
 N. O. HUSEBY  
 WM. HOLMQUIST  
 MIKE OBACH  
 H. F. NIEWOEHNER

Mr. Niewoehner moved that the report of the minority be substituted for the report of the majority, which motion prevailed, and Senate Bill No. 167 was indefinitely postponed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
 Bismarck, North Dakota.,  
 March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 256.

Very respectfully,

THOMAS McDONALD,  
 Secretary.



## REPORTS OF STANDING COMMITTEES

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was referred:

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

ROB. GREISER,  
Chairman.

Mr. Knudson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. Speaker: Your Committee on State Affairs to whom was referred:

Senate Bill No. 235. A Bill for an Act Establishing a State Board of Public Finance, Setting Out the Membership Thereof, Defining the Duties of Such Board, Making It Unlawful for Any State Officer, Superintendent, Manager or Head of Any State Department to Purchase or Sell Securities for or on Behalf of the State and Providing a Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

VAL P. WOLF,  
Chairman.

Mr. Knutson of LaMoure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Twichell moved that the vote by which Senate Bill No. 235 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Public Printing made the following report:

Mr. Speaker: Your Committee on Public Printing to whom was referred:

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official

Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

“Section 3. REPEAL.) Section 52 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict herewith are hereby repealed.”

And when so amended recommend the same do pass.

ROB. GREISER,  
Chairman.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution and bill:

#### RESOLUTION “Q”

Concurrent resolution memorializing the congress of the United States to Provide for the care of needy aged and blind ward Indians and the dependent children of Ward Indian Families.

Whereas, there are several hundred ward Indians eligible to receive old age and blind assistance, and several hundred ward Indian children eligible to receive aid to dependent children in the State of North Dakota, and

Whereas, because of their status as residents of Indian reservations, they and their property are not subject to taxation by the State or county in which they live, and

Whereas, because of the heavy burden placed upon these counties in making payments of old age and blind assistance and dependent children aid to qualified tax paying residents, the counties are under excessive financial strain, and

Whereas, it is an undue hardship upon the said State and counties to provide care for these ward Indians because of the facts above stated:

Now, Therefore, Be It Resolved, that we, the members of the Twenty-fifth Legislative Assembly of the State of North Dakota respectfully memorialize Congress to provide Federal funds for the care and relief of these above referred to needy aged and blind ward Indians and the dependent children of ward Indian families, and be it further resolved

that a copy of this resolution be forwarded to the United States Senate and the United States House of Representatives and to each of the Senators and Representatives of the State of North Dakota in the Congress of the United States.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Conference Committee to whom was referred Senate Bills No. 30, 31, 29, 32, 81 and 104, have had the same under consideration and cannot come to an agreement on same.

For the Senate:

FRED J. FREDRICKSON  
A. W. FOWLER  
SYVER VINJE

For the House:

BEGGS  
DULLEA  
HULTSTRAND

And recommend that this Committee be discharged and a new committee be appointed to consider the above bills.

Mr. Burgum moved that the report be accepted, that the conference committee be discharged, and that the Speaker appoint a new conference committee to act with the conference committee from the senate on Senate Bill No. 30, Senate Bill No. 31, Senate Bill No. 29, Senate Bill No. 32, Senate Bill No. 81 and Senate Bill No. 104.

Which motion prevailed, and the Speaker appointed to

such conference committee, Representatives Symington, Thompson and Beggs.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 45 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvement and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Have had the same under consideration and recommend:

Page 1, Section 1, line 3, strike out the figures "153,436.58" and insert in lieu thereof the figures "150,936.58".

That on page 3, line 45, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00".

That on page 3, line 48, Item 7, strike out the entire line and \$1,000.00.

In line 55, Item 4, strike out the Senate amendment of "\$4,000.00" and reinstate the House figures of "3,000.00".

On page 4, in line 62, Item 1, strike out the Senate amendment of \$1,000.00 and insert in lieu thereof the figures "500.00".

On page 4, in line 63, Item 2, the House accedes to the Senate amendment of \$3,500.00.

For the Senate:

WM. WATT,  
H. C. GUENTHER,  
G. F. DREW,

For the House:

R. W. FRAZIER.  
R. RAIT,  
H. MORRIS.

Mr. Frazier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Traynor moved that the vote by which the report of the conference committee on House Bill No. 45 was adopted be reconsidered, which motion prevailed.

Mr. Traynor moved that the report be returned to the conference committee for correction.

Which motion prevailed.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 45.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. Speaker: I have the honor to return House Bill No. 98, which the Senate has amended on page 1079 of the Senate Journal, and passed as amended.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Burgum moved that the House concur in the Senate amendments to House Bill No. 98.

Which motion prevailed.

Mr. Burgum moved that the rules be suspended and that House Bill No. 98 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 99; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Sargent
Akland	Huseby	Page
Anderson	Ireland	Peterson, Bot'neau
Anfinson	Jensen	Peterson, Richlan
Beasley	Johnson	Pewe
Beaton	Jones	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	LaBerge	Semerad
Burgum	Langford	Severson

Messrs.	Messrs.	Messrs.
Byrne	Leum	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Day	McInnes	Solberg
Dittmer	McIntee	Sticka
Dullea	Magill	Stray
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tuff
Goodlaxon	Norheim	Tweten
Graham	Obach	Twichell
Hagen	O'Brien	Urschel
Haines	Odegard	White
Hofstrand	Oglesby	Wick
Holm	Olson, Adams	Williams
Holmquist	Olson, Bowman	Wolf
Holthusen	Olson, McLean	Mr. Speaker

Those voting in the negative were:

Messrs.  
Bieloh

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Greiser	Saumur
Brusseau	Jury	Savre
Dalzell	Levin	Symington
Fitch	Peterson, Renville	Wendland
Gilberg		

So the bill passed and the title was agreed to.

Mr. Shure of Cass moved that the vote by which House Bill No. 98 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee on Senate Bills No. 29, 30, 31, 32, 81, and 104, Representatives Symington, Thompson and Beggs.

Also, that the House has concurred in the Senate amendments to House Bill No. 98.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

SEVENTH ORDER OR BUSINESS  
HOUSE MEMORIAL RESOLUTION "N"

Introduced by Representative Olson of Sargent

WHEREAS, it has come to the attention of this House that the Honorable Frank Riba of Geneseo, Sargent County, passed out of this life on February 16th after a protracted illness, and

WHEREAS, the said Honorable Frank Riba was one of the pioneer residents of Sargent County and the respected and honored citizen of said County for fifty-four years, and

WHEREAS, Mr. Riba served as a Representative in the Legislative Assembly of the State of North Dakota, from 1917 to 1919.

NOW THEREFORE BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATIVE ASSEMBLY, that we hereby express our regrets at the passing of this sterling citizen to the Great Beyond and that we extend our sincere sympathy to his family in this hour of bereavement.

BE IT FURTHER RESOLVED, that a copy of this resolution be printed in the Journal and that the Chief Clerk of the House is hereby directed to mail an engrossed copy of this resolution to Mrs. Mary Riba, wife of the deceased, at Geneseo, Sargent County, North Dakota.

Mr. Olson of Sargent moved that House Memorial Resolution "N" be adopted.

Mr. Twichell offered as a substitute motion that House Memorial Resolution "N" be adopted by a rising vote, which motion prevailed and House Memorial Resolution "N" was unanimously adopted.

Mr. Kapaun moved that further consideration of Senate Bill No. 158 be indefinitely postponed.

Mr. Johnson moved the previous question.

Which motion prevailed.

The question being on Mr. Kapaun's motion that further consideration of Senate Bill No. 158 be indefinitely postponed.

Which motion prevailed.

Mr. Wolf moved that the vote by which Senate Bill No. 158 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933; Declaring an Emergency.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,



House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 2, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Ap-

proprietion for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 76. 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.

Also,

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Also,

Senate Bill No. 78. 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.

Also,

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 37. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon,

North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Also,

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

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, 97; nays, 3; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Page
Akland	Holthusen	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Benno	Johnson	Pewe
Biberdorf	Jones	Rait
Bieloh	Jury	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Black	Krank	Schauss
Blair	Kraus	Schimke
Brown	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Treffry

Messrs.	Messrs.	Messrs.
Frosaker	Nelson, Sargent	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Tweten
Godwin	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Graham	Olson, Adams	Wick
Greiser	Olson, Bowman	Williams
Hagen	Olson, McLean	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Kapaun	Ritter

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Jensen	Sand
Beggs	Just	Traynor
Brusseau	Levin	Wendland
Holmquist	Norheim	White
Hultstrand		

So the bill passed and the title was agreed to.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 89; nays, 8; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, McLean
Akland	Hofstrand	Page
Anderson	Holm	Peterson, Bot'neau
Anfinson	Holmquist	Peterson, Renville
Beaton	Holthusen	Peterson, Richland
Beggs	Huseby	Pewe
Benno	Ireland	Rait
Biberdorf	Johnson	Sand
Bieloh	Jones	Sandness
Billigmeier	Jury	Saumur
Bjornson	Just	Savre
Black	Kapaun	Schauss
Blair	Knudson, Steele	Seibel
Brown	Krank	Semerad
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg

Messrs.	Messrs.	Messrs.
Day	McIntee	Sticka
Dullea	Magill	Thompson
Frazier	Morland	Thoreson
Freitag	Morris	Traynor
Frey	Niewoehner	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Gilberg	O'Brien	Urschel
Godwin	Odegard	Wick
Goodlaxon	Oglesby	Williams
Graham	Olson, Adams	Wolf
Greiser	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Myers	Ritter	White
Nelson, Sargent	Stray	Mr. Speaker
Olson, Sargent	Wendland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Jensen	Nelson, Cass
Brusseau	Knutson, LaMoure	Schimke
Dittmer	Kraus	Symington
Fitch	LaBerge	Tweten
Haines	Levin	Twichell
Hultstrand		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Treffry 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.

Mr. Godwin moved that the House recess until 7:30 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

The House convened at 7:30 P. M., pursuant to recess, Speaker Dahl presiding.

#### GENERAL ORDERS

Mr. Page moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders.

Which motion prevailed.

The Speaker called Mr. Page to the chair, and the House resolved itself into a Committee of the Whole.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

And recommend the adoption of the Standing Committees' amendments as follows:

In the title of the bill in line 8, after the words "to provide for," strike out the word "Compensation" and insert in lieu thereof the word "cooperation". (This is the title of the bill as printed on page 476 of the Senate Journal for Feb. 8).

On page 477 of the Journal, in subsection e, line 7, after the word "employ," leave the word "one" as it is in the Journal. (This has been amended to "eight" in the Senate and then changed back to "one" which figure now prevails).

On page 477, Subsection (4) of Section 2, in line 1 of such subsection, after the word "with" the word "one" will remain as it is with the same explanation as above.

On page 484, reinsert subsection (III) under subsection B under subsection (3) of Section 4 (pages 484 and 485 of Senate Journal for Feb. 8).

Section 14, subsection (B) on page 498, line 10, after the word "appropriated," strike out the figures "\$10,000" (as inserted in the original bill introduced in the Senate) and insert in lieu thereof \$33,000.00 and where the figures "\$50,000" stand in subsection (b) of the Journal, (line 10).

And when so amended recommend the same do pass.

Also,

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the

Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

And recommend that action on the same be deferred.

Also,

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And recommend the same be amended as follows:

On page 5, Section 6, line 8, strike out the words "three days" and insert in lieu thereof the words "thirty-six hours".

On page 3, Section 4, line 19, after the word "the" and before the word "treasurer" insert the word "county".

On page 3, Section 4, line 22 after the word "commissioners" add the following language: "to residents within that county".

And when so amended recommend that the same do pass.

Also,

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

And recommend the same be indefinitely postponed.

Also,

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

And recommend the same be amended as follows:

In the printed bill, Section 1, page 2, line 19, after the word "to", insert the following "and at".

In the printed bill, Section 1, page 4, line 51, after the word "shall", strike out the words beginning with the word "be" down to and including the word "subdivision" on line 53, and insert in lieu thereof the following, "be One Thousand sets".

In the printed bill, Section 4, page 6, line 6 after the word "as", strike out the words beginning with the word "are" down to and including numerals "1913" on line 11, and insert in lieu thereof the following "may be purchased by the Secretary of State".

In the printed bill on Section 4, page 6, line 14, after the word "treasury", insert the following "or out of the Revolving fund hereinafter provided for".

In the printed bill in Section 4, page 6, line 15, strike out all of paragraph beginning with line 15 and ending with line 23.

In the printed bill on Section 5, page 7, line 7 after the word "Dakota", strike out "period" and insert the following: "comma," "and to cover also the cost of delivery and other incidental expenses in connection therewith, of the Codes that may be purchased from the Secretary of State".

In the printed bill on Section 6, page 7, line 3 after the word "directed", strike out the words beginning with the word "to" down to and including the word "known" on line 4 and insert in lieu thereof "to loan from funds of the Bank of North Dakota to the Secretary of State a fund to be known".

In the printed bill on Section 6, page 7, line 5 after the second word "fund", strike out words "to be".

In the printed bill on Section 6, page 7, line 10 after the word "municipalities", strike out the words beginning with word "under" down to and including words "laws" on page 7, line 11, and insert in lieu thereof "which may purchase said Codes".

In the printed bill on Section 6, page 7, line 12, after the word "State", strike out the words beginning with word "to" down to and including the first word "and" on page 7, line 13.

In the printed bill on Section 6, page 7, line 14 after the word "codes", insert the following "so sold and".

In the printed bill on Section 6, page 7, line 14 after the



word "delivered", strike out the words beginning with the word "under" down to and including the numerals "87" on line 15.

In the original bill on Section 6, page 7, line 17 after the word "fund", add the following "in the Bank of North Dakota".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, line 3 of the title, which is line 3 of the printed bill after the word "schools", strike out the words and comma "and Other Activities of Such Association,".

In the engrossed bill, line 4 of the title which is line 4 of the title of the printed bill after the figures "1935", strike out the "period" and insert in lieu thereof the "semi-colon" and add the words "Repealing all Acts or Parts of Acts in Conflict Herewith".

In the engrossed bill, Section 1, line 4 which is Section 1 line 5 of the printed bill after the word "Association", insert a "comma" and add the words "to be disbursed by State Auditors Warrants on vouchers approved by the Secretary of the North Dakota Firemen's Association and audited by the State Auditing Board".

In the engrossed bill, Section 1, line 4 which is Section 1, line 5 of the printed bill, after the word "of", strike out the words "promoting the efficiency and growth of its different departments, and for the".

In the engrossed bill, Section 1, line 6 which is Section 1, line 7 of the printed bill, strike out the word "of" preceding the word "regional".

After the entire "Section 1", add Section Two to the bill as follows: "Section 2. REPEAL.) All Acts or Parts of Acts in Conflict Herewith are hereby repealed".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, page 2, line 11 which is page 3, line 40 of the printed bill after the words "IMPROVEMENTS AND REPAIRS", strike out the "colon" and insert in lieu thereof a "comma" and add the following words "to be placed under the Supervision of the Board of Administration:".

In the engrossed bill, page 2, items 1 to 8, inclusive, under IMPROVEMENTS AND REPAIRS which is page 3, lines 41 to 49, inclusive, of the printed bill, strike out entirely all of the figures on these lines.

In the engrossed bill, page 2, item 6 under IMPROVEMENTS AND REPAIRS which is page 3, line 47 of the printed bill, strike out the words "Stucco Buildings—Painting" and insert in lieu thereof the words "Remodeling Carpenter Shop for Vocational Training".

In the engrossed bill, page 2, after item 8 under IMPROVEMENTS AND REPAIRS which is line 50 on page 3 of the printed bill, insert the word "Total" and insert the figures "\$18,950.00".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

And recommend the adoption of the standing committee's amendments as follows:

Section 5, at the end of subsection "b," strike out the "period" and insert in lieu thereof a "comma" and add the word "or". Strike out the designation (c), and change the capital letter "I" in the word "Is" to a small letter "i". This amendment would join subsection (c) with subsection (b).

In Section 7, line 7, page 6, after the word "by," insert the following: "the person with whom the child is living or".

In Section 8, line 21, page 7, strike out the words "subpoena witnesses".

In Section 15, subsection b, line 11, page 14, strike out the words "the names" after the word "county" and insert the word "paid" after the word "amount".

At the end of Section 18, strike out the "period" and insert in lieu thereof a "comma" and add the following: "but any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available

for inspection by the applicant in any case where he applies for fair hearing either by appeal or otherwise".

And when so amended recommend the same do pass.

FRANKLIN PAGE,  
Chairman.

Mr. Godwin moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Gilberg moved that the House reconsider the action by which Senate Bill No. 110 was lost.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 110 be placed on the calendar.

Which motion prevailed.

Mr. Fitch moved that the House reconsider the action by which Senate Bill No. 253 was indefinitely postponed.

Which motion prevailed.

Mr. Fitch moved that Senate Bill No. 253 be placed on the calendar.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

H. E. Martin, Carson; Bart Carton, Mandan; Robert Hein, Frank Sherboch, Stanton; Miss Mary Cashel, Helen K. Katen, Miss Ward, Bismarck; Anton Ambrust, Dickinson; O. B. N. Johnson, Ft. Ransom; Rev. G. Shroeder, Max; Andrew L. Erbele, Lehr; Ray Winmill, Henmar Falsing, Hazen; Mrs. E. J. Marks, Flaxton; Mrs. Jake Gagnum, Jake Gagnum, Bowbells; E. J. Marks, Flaxton; Bert Solberg, Minot; Jacob Will, August Breithbarth, Fred Permon, Christ Dockter, Wishek; Norman Tennison, Fargo; Robert Norheim, Alexander; T. Diamond, Minot; John H. Miller, Mike Hilsher, Kulm; Roy Logan, Bismarck; Ewald Bauman, Irwin Heiser, Geo. Roth, Wishek; Geo. Schieck, Gladstone; F. J. Wanner, Dickinson; O. C. Aahrenn, Minot; Frank Bronun, Napoleon.

Mr. Godwin moved that the House recess until 10:30 A. M. tomorrow, which motion prevailed, and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-SEVENTH DAY AFTER RECESS AND  
FIFTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota.  
March 3, 1937.

The House convened at 10:30 A. M., pursuant to recess,  
Speaker Dahl presiding.

GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a  
Committee of the Whole for the consideration of General  
Orders; which motion prevailed, and the House resolved  
itself into a Committee of the Whole.

The Speaker called Mr. Fitch to the chair.

The Speaker resumed the chair.

When the committee arose it submitted the following  
report:

Mr. Speaker: The Committee of the Whole have had  
under consideration.

Senate Bill No. 24. A Bill for an Act Relating to Motor  
Vehicles, Trailers, and Semi-trailers, the Ownership Thereof,  
and Other Interests Therein, and to Provide for the Regis-  
tration Thereof, the Issuance of Certificates of Title There-  
for Upon Payment of Fees; and to License Persons in the  
Business of Dealing in All Motor Vehicles; Trailers, and  
Semi-trailers; and to Protect Owners of Such Vehicles  
Against Theft, Embezzlement or Other Loss Thereof; Pro-  
viding for Highway Traffic Regulations; and Providing for  
the Administration and Enforcement of Motor Vehicle Laws  
and Highway Traffic Regulations by Division of Highway  
Safety and Patrol; Providing for the Appointment of a Regis-  
trar of Motor Vehicles and Other Employees of the Depart-  
ment; Providing for the Appointment of a Superintendent of  
Division of Highway Safety and Patrol and Other Patrol-  
men and Employees; Prescribing Their Salaries and Provid-  
ing for the Expense of Administration; Prescribing Their

Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

And recommend the adoption of the Standing Committee's amendments as follows:

On page 20, line 15 of the printed bill, after word "than" and before the word "patrolmen," strike out the figures "25" and insert in lieu thereof the figures "20".

On page 21 of the printed bill, strike out Senate amendment in line 33 and correct as follows: On page 21, line 47, following the word "Fund," strike out the period, insert a comma, and add the following language: "Provided, however, that the superintendent and no patrolman shall be paid within twenty per cent (20%) of the maximum salary provided for in this Act unless and until he shall have had two years experience as a highway patrolman in North Dakota."

Correct Senate amendment on page 905 of the Senate Journal as follows: In the second paragraph of Senator Lowe's amendment in the first line thereof, strike out the words "In Section 67, add sub-section 'E' and insert in lieu thereof the words: "In Section 42, add sub-section F."

On page 23, Section 32, line 22 of the printed bill, following the word "of," strike out the words "such vehicle" and the comma ( , ) following the word "vehicle".

Strike out Senate amendment No. 21, (page 741, Senate Journal), amending line 31, page 64 of printed bill.

Strike out Senate amendment No. 29, (page 741, Senate Journal), amending line 55, page 65 of printed bill.

Strike out Senate amendment No. 30, (page 742, Senate Journal), and reinsert language stricken out by Senate amendment.

Strike out line 39, page 64 of the printed bill and renumber remaining lines in section. In line 40, on the same page, following the word "ton," add the following words: "and under".

On page 66, line 78 of the printed bill, following the word "be" and before the word "dollars," strike out the word "five" and insert in lieu thereof the word "eight".

On page 85, Section 118, line 3 of the printed bill, following the word "this," strike out the word "Act" and insert in lieu thereof the word "article".

On page 71, lines 3 and 4, Section 100, Art. XI, after the word "duly" in line 2 and before the word "in" of line 4, strike out the words "registered dealer" and substitute in lieu thereof the word "applicant".

On page 72, line 14, following the word "designated", strike out the balance of line 14; all of lines 15, 16, 17; on line 18, strike out "cations and fees", leaving the period following the word "fees".

On page 73, line 33, following the word "herein" strike out the word "designed" and substitute therefor the word "designated".

On page 73, line 8, Section 101, strike out the colon following the word "provided", insert a comma, and add the following: "and shall include any charge for notarial service."

Amend Senate amendment No. 52, (page 744, Senate Journal), which is known as Section 3 which follows Section 2, page 175 of the printed bill, by striking out the figures "35,000" and inserting in lieu thereof the figures "40,000".

On page 181 of the printed bill, strike out all of Section D and insert in lieu thereof, the following language: "The Commissioner and/or his Maintenance Engineers shall likewise have authority as hereinbefore granted to local authorities to impose restrictions as to the weight of vehicles operated on any highway in the State Highway system and such restrictions shall be effective when signs giving notice thereof are erected at each end of the highway or portion thereof affected by such restrictions."

And the further amendment:

On page 21, line 50 of the printed bill, strike out the words "forty five" and insert in lieu thereof the words "forty-seven".

On page 175, line 15 of Section 261, strike out the figures "18,000" and insert in lieu thereof the figures "15,000".

And when so amended recommend the same do pass.

Also,

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

And recommend the adoption of the Standing Committee's amendments as follows:

In the printed bill, line 2 of the title, after the word "Children," strike out the words "and for Child Welfare Services" and insert in lieu thereof a "semicolon" and the words "Making an Appropriation"; insert thereafter another "semicolon" and the words "Repealing All Acts or Parts of Acts in Conflict Herewith."

Printed bill, Section 1, line 3, after the word "children," strike out the words "and child welfare services".

Printed bill, Section 2, line 1, after the word "The," strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Printed bill, Section 2, line 3, after the word "children," strike out the words "and child welfare services".

Printed bill, page 2, Section 3, line 3, after the word "the" strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Printed bill, page 2, Section 3, line 4, after the word "Dakota," strike out the words "the Executive Director of such Board through the Supervision of the Child Welfare Division of the Public Welfare Board of North Dakota".

Page 2, Section 3, line 7, after the word "children," strike out the words "and such child welfare services".

Page 2, Section 3, line 9, after the word "the," strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 2, Section 4, line 1, after the word "The," strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 2, Section 4, line 5, item 2, strike out the entire "Item 2" consisting of lines 5, 6, 7, and 8.

Page 2, line 9, of Section 4, change the "Item 3" to read "Item 2".

Page 2, Section 4, line 12, after the word "plans," strike out the words "for child welfare services".

Page 2, Section 4, line 14, change the figure "4" to read "3".

Page 3, Section 4, line 17, change the figure "5" to read "4".

Page 3, Section 4, line 19, after the word "children," strike out the words "and child welfare services".

Page 3, Section 4, line 22, after the word "children," strike out the words "and child welfare services".

Page 3, Section 4, line 25, change the figure "6" to "5".

Page 3, Section 4, line 26, after the word "children," strike out the words "and child welfare services".

Page 3, Section 4, line 31, change the figure "7" to "6".

Page 3, Section 4, line 31, after the word "The," strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 3, Section 4, after line 38, insert the new paragraph "7" as follows: (7) Provided always that no official, or agent, or representative in carrying out the provisions of this measure shall enter any home or take charge of any

child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. Nothing herein shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child, or the agency or agencies to be employed for such purposes."

Page 3, Section 5, beginning with the first line, strike out the entire Section 5, consisting of lines 1 to 9, inclusive.

Page 4, change Section "6" to read Section "5".

Page 4, Section 6, line 1 after the word "The", strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 4, Section 6, line 2 after the word "the", strike out the words "Supervisor of the Child Welfare Division" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 4, change Section "7" to Section "6".

Page 4, Section 7, line 1, after the word "The", strike out the words "Supervisor of the Child Welfare Division" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 5, strike out the entire "Section 8" consisting of lines 1 to 9, inclusive.

Page 5, change the second "Section 8" to read "Section 7".

Page 5, in the second Section 8, line 1 after the word "The", strike out the words "Public Welfare Board" and insert in lieu thereof the words "Director of the Children's Bureau".

Page 5, Section 8, line 6 after the word "children", strike out the words "and child welfare services" and insert in lieu thereof a "comma".

Page 5, Section 10, line 1 after the word "The", strike out the word "Supervisor" and insert in lieu thereof the word "Director".

Page 5, Section 10, line 2 after the word "the", strike out the words "Public Welfare Board" and insert in lieu thereof the words "Board of Administration".

Page 6, Section 10, line 6 after the word "children", strike out the words "and child welfare services".

Page 6, strike out the entire "Section 11" consisting of lines 1 to 9, inclusive, and insert the following "Section 9":

"Section 9. APPROPRIATION.) For the purpose of carrying on the services prescribed by this Act, the Public Welfare Board of North Dakota is hereby authorized and directed to transfer to the State Board of Administration out of monies that may hereafter be appropriated to the



Public Welfare Board the sum of \$50,000.00 to be expended by the Board of Administration for aid to crippled children and to defray the expenses of administering same".

Page 6, strike out the entire "Section 12" consisting of lines 1 to 11, inclusive, and insert the following "Section 10":

"Section 10. REPEAL.) All Acts or parts of Acts in Conflict herewith are hereby repealed".

And the further amendment:

On page 1, Section 1, line 5, after the word "delinquent" strike out the comma, insert a period, and strike out the balance of the section.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

And recommend the adoption of the Standing Committee's amendments as follows:

In the engrossed bill, Section 1, line 3 which is Section 1, line 3 of the printed bill after the word "of" strike out the figures "Twenty-five thousand Dollars (\$25,000.00)" and insert in lieu thereof the figures "Twenty Thousand Dollars (\$20,000.00)".

In the engrossed bill, Section 1, line 9, which is Section 1, line 10 of the printed bill after the figures "1939" strike out the "comma" and insert in lieu thereof a "period" and strike out entirely the remainder of the bill.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and

All Other Acts or Parts of Acts in Conflict With This Act,  
and Declaring an Emergency.

And recommend the same be indefinitely postponed.

K. A. FITCH,  
Chairman.

The Speaker called Mr. Wolf to the chair.

Mr. Godwin moved that the report of the Committee of  
the Whole be divided as to Senate Bill No. 120.

Which motion prevailed.

Mr. Godwin moved that the report of the Committee of  
the Whole be adopted as to Senate Bill No. 24, Senate Bill  
No. 161 and Senate Bill No. 128.

Which motion prevailed.

Mr. Godwin offered as a substitute motion to the report  
of the Committee of the Whole on Senate Bill No. 120 that  
Senate Bill No. 120 be placed on the calendar. A division  
was called for and the motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the  
House has concurred in the Senate amendment to House  
Bill No. 249.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House adjourn. The motion  
prevailed and the House adjourned.

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#### FIFTY-EIGHTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

The House assembled at 2:30 P. M., pursuant to adjourn-  
ment, Speaker Dahl presiding.

Prayer by Rev. N. E. Elsworth of Bismarck.

The roll was called and all members were present except

Representatives Anfinson, Benno, Brusseau, Day, Hultstrand, Jury, Knutson of LaMoure and Twichell.

So a quorum was declared present.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-

enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933; Declaring an Emergency.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1935 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for

1913; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$10,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Declaring an Emergency.

Also,

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, as Amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Further Amended by the Initiated Measure Passed June 29, 1932, by the People of the State of North Dakota, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Also,

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act to Amend and Re-

enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

SENATE CONCURRENT RESOLUTION "W".

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills and resolutions:

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Also,

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 39. 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.

Also,

SENATE CONCURRENT RESOLUTION "U".

Also,

SENATE CONCURRENT RESOLUTION "T".



Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the Senate be requested to return to the House Senate Bill No. 202.

Which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Also,

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue

Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Also,

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Power Upon Municipalities; and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Also,

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Also,

SENATE CONCURRENT RESOLUTION "O".

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Dealing with the North Dakota Beverage Inspection Act, Defining the Beverages Coming Within the Provisions of that Act, and Fixing the Fee Required to be Paid for Registration of Label Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Also,

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4 of Chapter 138 of the North Dakota Session Laws for the Year 1929, Entitled "An Act to Provide for the Storage of Grain Upon Farms and on or Near Railway Rights-of-Way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of 'Grain Storage Commissioner of North Dakota,' Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 231. A Bill for an Act Providing for

the Abolition of the Office of Common School District Treasurer Upon Majority Vote at Annual School Elections.

Also,

Senate Bill No. 195. A Bill for an Act to Rid the State of a Public Nuisance, Namely Irresponsible Collectors or Collection Agencies who Themselves are Operating Without Sufficient Funds and Who are Unable to Pay their Own Obligations, Yet Who Continually Persist in Cluttering Up the Courts With Garnishment and Attachment Actions, Causing Many Worthy Individuals with Large Families to Support, to Lose Their Jobs by Useless Litigation.

Also,

Senate Bill No. 169. A Bill for an Act to Provide for the Protection of Prehistoric Deposits, Relics, Indian Mounds, Graves, Village Sites, and Other Archaeological Material. To Provide for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Material and Providing a Penalty for Violations.

Also,

Senate Bill No. 13. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening or Establishment of Stores in This State, Prescribing the License and Filing Fees to Be Paid Therefor, and the Disposition Thereof, and the Powers and Duties of the State Tax Commissioner in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons to Positions in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Also,

Senate Bill No. 88. A Bill for an Act Making Unlawful Certain Discriminations in Price, in Services or Facilities Furnished, or in Payment for Services or Facilities to Be Rendered, in Connection with the Sale of Commodities in the Course of Trade or Commerce, and Providing Certain Remedies for Violation.

Also,

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 7971, Compiled Laws of 1913, Relating to Actions of quo warranto Against Usurping Officers and Others.

Also,

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

Also,

Senate Bill No. 235. A Bill for an Act Establishing a State Board of Public Finance, Setting Out the Membership Thereof, Defining the Duties of Such Board, Making It Unlawful for Any State Officer, Superintendent, Manager or Head of Any State Department to Purchase or Sell Securities for or on Behalf of the State and Providing a Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REFERENCE TO THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 56th day after recess and 57th day and recommend that the same be corrected as follows:

Page 1684, line 4, strike out the words "striking out" and insert in lieu thereof the word "dividing".

Add Senate Bill No. 75 and Senate Bill No. 99 to the calendar.

Page 1743, line 9, insert the following: "and recommend the same be amended as follows".

Page 1712, line 3, change the word "House" to read "Senate".

Page 1685, in line 12, from bottom change 1691 to 1591.

Page 1684, House Bill 70 shows Tuff voting "No" whereas he voted "aye".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Petition signed by eleven residents of Regent and Have-lock opposing the chain store tax bill.

Petition signed by 32 residents of Rogers opposing the chain store tax bill.

Petition signed by 45 residents of Cooperstown urging the passage of an unemployment insurance bill with the same features as the federal bill.

Petition signed by 24 residents of Mercer County opposing Senate Bill No. 79 and Senate Bill No. 120.

Petition signed by 12 residents of Braddock opposing the chain store tax bill.

#### REPORT OF STANDING COMMITTEES

The Committee on Public Health made the following report:

Mr. Speaker: Your Committee on Public Health to whom was referred:

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. C. ODEGARD,  
Chairman.

Mr. Adams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Bjornson moved that the vote by which Senate Bill No. 66 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following:

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

HOUSE CONCURRENT RESOLUTION "D-1." WHEREAS, A complete record of action upon and disposal of all bills introduced in the House and Senate during this Session, should be made available to House and Senate Mem-

bers as quickly as possible; such record to show what bills have been indefinitely postponed, withdrawn or passed, with notation of Journal date and page of amendments thereto.

Also,

HOUSE CONCURRENT RESOLUTION "E-1." Empowering Thomas McDonald, Secretary of the Senate, and Mrs. Minnie D. Craig, Chief Clerk of the House, to compare and index the Journal of the Twenty-Fifth Legislative Assembly, and to complete the Senate and House Journals and mail out to the members the temporary Journals of the last days of the session.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 214. A bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of



One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption, by Vote of Electors; Prescribing Procedure With Respect There-to; and Penalties for Violations Hereof.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections

10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

MEMORIAL RESOLUTION "N". Memorial for Honorable Frank Riba.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

And find the same correctly enrolled.

HERMAN JUST, Jr.,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

The Speaker called Mr. Wolf to the chair.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 45 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Page 1, Section 1, line 3, strike out the figures "153,436.58" and insert in lieu thereof the figures "150,936.58."

That on page 3, line 45, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

That on page 3, line 48, Item 7, strike out the entire line and "\$1,000.00."

In line 55, item 4, strike out the Senate amendment of "\$4,000.00" and reinstate the House figures of "\$3,000.00."

On page 4, in line 62, Item 1, strike out the Senate amendment of "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

On page 4, in line 63, Item 2, the House accedes to the Senate amendment of "\$3,500.00."

On page 4, line 65, strike out the figures "\$153,436.58 and insert in lieu thereof the figures "\$150,936.58."

For the Senate:  
WM. WATT  
H. C. GUENTHER  
G. F. DREW.

For the House:  
R. W. FRAZIER  
ROBERT RAIT  
H. J. MORRIS.

Mr. Godwin moved that the report of the Conference Committee on House Bill No. 45 be adopted, and the committee discharged.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 45 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

#### 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 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Akland	Holmquist	Olson, Bowman
Anderson	Holthusen	Olson, McLean
Anfinson	Hultstrand	Olson, Sargent
Beasley	Huseby	Page
Beaton	Ireland	Peterson, Bot'neau
Biberdorf	Jensen	Peterson, Renville
Bieloh	Johnson	Peterson, Richland
Billigmeier	Jones	Pewe
Bjornson	Jury	Rait
Black	Just	Sand
Blair	Kapaun	Sandness
Brown	Krank	Saumur
Burgum	Kraus	Savre
Byrne	LaBerge	Schauss
Caddell	Langford	Schimke
Dalzell	Leum	Severson
Day	Levin	Shure, Cass
Dittmer	Livingston	Shurr, Bottineau
Dullea	McInnes	Solberg
Frazier	McIntee	Sticka
Freitag	Magill	Thoreson
Frey	Morland	Traynor
Frosaker	Morris	Treffry

Messrs.	Messrs.	Messrs.
Gessner	Myers	Trydahl
Gilberg	Niewoehner	Tuff
Godwin	Nelson, Cass	Twetén
Goodlaxon	Nelson, Sargent	Wendland
Graham	Obach	White
Greiser	O'Brien	Wick
Hagen	Odegard	Williams
Haines	Oglesby	Wolf
Hofstrand		

Those voting in the negative were:

Messrs.  
Semerad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Knutson, LaMoure	Symington
Benno	Norheim	Thompson
Brusseau	Ritter	Twichell
Fitch	Seibel	Urschel
Knudson, Steele	Stray	Mr. Speaker

So the bill passed and the title was agreed to.

#### SEVENTH ORDER OF BUSINESS

SENATE CONCURRENT RESOLUTION "W," introduced by Committee on Education, was read.

Mr. Niewoehner moved the adoption of Senate Concurrent Resolution "W."

Which motion prevailed.

Mr. Niewoehner moved that Senate Concurrent Resolution "W" be printed in the Journal.

Which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "W"

Introduced by Committee on Education

WHEREAS, the safety and perpetuity of these United States lies in the education of its youth in the duties of citizenship; and

WHEREAS, the time has arrived when the Government of the United States through its Congress, must more fully discharge its obligation in the support of schools for the masses of our citizens; and

WHEREAS, even before the onslaught of the depression thousands of our rural schools did not have sufficient funds to pay for necessary schools; and

WHEREAS, our rural teachers for the most part are the most poorly paid public servants in the nation; and

WHEREAS, it is to the interest of every citizen of the na-

tion that every child therein, no matter where he may reside, shall have adequate education to prepare him for the exercise of his citizenship, obligations and privileges; and

WHEREAS, many of the less populous and wealthy States are unable through taxation of their resources to longer support schools which will give their children equal opportunity with the children of more populous and wealthy States, thereby leaving them unfitted by education for citizenship and depriving the whole nation of the benefits of properly educated citizens:

NOW, THEREFORE, Be it Hereby Resolved by the Senate of the State of North Dakota, the House of Representatives concurring, that the Congress of the United States be, and the Congress hereby is, memorialized to enact Senate Bill 419 of the 75th Congress, being an Act introduced by Senator Harrison, and known as the Harrison, Black, Fletcher Bill, and entitled:

A Bill to Promote the General Welfare Through the Appropriation of Funds to Assist the States and Territories in Providing More Effective Programs of Public Education.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the President of the United States, and to the Senate and the House of Representatives of the United States, and to the North Dakota Senators and Representatives.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 45.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### TWELFTH ORDER OF BUSINESS

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Which the Senate has amended as shown on page 1241 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Solberg moved that the House do not concur in the Senate amendments to House Bill No. 160 and that a Conference Committee be appointed to confer with a like committee from the Senate. The motion prevailed and Representatives Schauss, Solberg and McInnes were appointed on such Conference Committee.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 160 and the Speaker has appointed as a Conference Committee, Representatives Schauss, Solberg and McInnes.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Which the Senate has amended as shown on page 1128 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Freitag moved that the House concur in the Senate amendments to House Bill No. 291.

Which motion prevailed.

Mr. Freitag moved that the rules be suspended and that

House Bill No. 291 be considered properly re-engrossed and placed on 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, 101; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Page
Akland	Ireland	Peterson, Bot'neau
Anderson	Jensen	Peterson, Renville
Anfinson	Johnson	Peterson, Richland
Beasley	Jones	Pewe
Beaton	Jury	Rait
Biberdorf	Just	Ritter
Bieloh	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Saumur
Black	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Schimke
Burgum	Langford	Seibel
Byrne	Leum	Semerad
Caddell	Levin	Severson
Dalzell	McInnes	Shure, Cass
Day	McIntee	Shurr, Bottineau
Dittmer	Magill	Solberg
Dullea	Morland	Sticka
Fitch	Morris	Stray
Frey	Myers	Symington
Frosaker	Niewoehner	Thompson
Gessner	Nelson, Cass	Thoreson
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Goodlaxon	Obach	Tweten
Graham	O'Brien	Twichell
Greiser	Odegard	Urschel
Hagen	Oglesby	Wendland
Haines	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Wolf
Holthusen	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Hofstrand	Williams
Freitag	Livingston	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Hultstrand	Tuff
Brusseau	Traynor	Mr. Speaker
Frazier		

So the bill passed and the title was agreed to.

WEDNESDAY, MARCH 3, 1937

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MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 291.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Which the Senate has amended as shown on page 1189 of the Senate Journal and further amended on page 1237 of said Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 203.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 203 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 91; nays, 10; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	O'Brien
Akland	Haines	Odegard
Anderson	Hofstrand	Oglesby
Anfinson	Holm	Olson, Adams



Messrs.	Messrs.	Messrs.
Beasley	Holmquist	Olson, Bowman
Beaton	Huseby	Olson, McLean
Beggs	Ireland	Page
Biberdorf	Jensen	Peterson, Bot'neau
Bieloh	Johnson	Peterson, Renville
Billigmeier	Jury	Peterson, Richland
Bjornson	Just	Rait
Black	Knudson, Steele	Sand
Blair	Knutson, LaMoure	Sandness
Brown	Krank	Saumur
Burgum	Kraus	Savre
Byrne	LaBerge	Schauss
Caddell	Langford	Schimke
Dalzell	Leum	Seibel
Day	Levin	Semerad
Dullea	Livingston	Shurr, Bottineau
Fitch	McInnes	Solberg
Frazier	McIntee	Sticka
Freitag	Magill	Stray
Frey	Morland	Thompson
Frosaker	Morris	Thoreson
Gessner	Myers	Treffry
Gilberg	Niewoehner	Twetén
Godwin	Nelson, Sargent	Twichell
Goodlaxon	Norheim	Urschel
Graham	Obach	Wolf
Greiser		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dittmer	Pewe	Wendland
Holthusen	Shure, Cass	Wick
Jones	Trydahl	Williams
Nelson, Cass		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Olson, Sargent	Traynor
Brusseau	Ritter	Tuff
Hultstrand	Severson	White
Kapaun	Symington	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Treffry 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.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the

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House has concurred in the Senate amendments to House Bill No. 203.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 133.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Schauss moved that the House return House Bill No. 133 to the Senate, as requested.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to return herewith House Bill No. 133 as per your request.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

GENERAL ORDERS

Mr. Hagen moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders, which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Mr. Hagen to the chair.

The Speaker resumed the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

And recommend the adoption of the Standing Committee's amendments as follows:

"Section 3. REPEAL.) Section 52 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

And recommend the adoption of the standing committee's amendments as follows:

Section 1, Subsection (a) of the re-engrossed bill, strike out the words "consumer or user".

In Section 1 of Subsection (c), line 3 of the re-engrossed bill, which is Section 1, Subsection (c), line 16 of the printed bill, after the word "of" and before the word "gas," insert the word "steam".

In Section 1, Subsection (c), line 8 of the re-engrossed bill after the word "customer," strike out all of lines 8, 9, 10 and 11 up to the period after the word "tax" and insert in lieu thereof the following: "by the term 'processing' as used in this Act is meant tangible personal property that is used in manufacturing, producing or processing and which becomes an ingredient or component part of other tangible personal property and which latter tangible personal property becomes subject to the retail sales tax".

In Section 1, of Subsection (e) in line 3 of the re-engrossed bill, which is page 2, line 27 of the printed bill, after the word "of," insert the word "steam".

In Section 2, line 7 of the re-engrossed bill, which is page 4, line 8 of the printed bill, after the word "of," insert the word "steam".

In Section 2, line 9 of the re-engrossed bill, which is page 4, line 10 of the printed bill, after the word "furnishing," insert the word "steam".

In Section 2, line 15 of the re-engrossed bill, after the word "act," strike out the balance of line 15 and also lines 16, 17, 18 and 19.

In Section 3, Subsection (d), line 4 of the re-engrossed

bill, which is page 5, line 16 of the printed bill, strike out the word "exempted" and substitute therefor the word "extended".

In Section 5, Subsection 1, line 4 of the re-engrossed bill, which is Section 5, Subsection 1, line 6 of the printed bill, after the word "needy", strike out the balance of said subsection.

In Section 5, Subsection (2a) line 3, of the re-engrossed bill, which is Section 5, Subsection (2a) line 16 of the printed bill, after the word "agency" strike out the words "or local governmental units..". And also Section 5, Subsection (2a), line 6 of the re-engrossed bill after the word "needy", which is Section 5, Subsection (2a), line 20 of the printed bill, strike out the balance of said subsection.

Section 5, Subsection (2b), line 4 of the re-engrossed bill, which is Section 5, Subsection (2b), line 25 of the printed bill, after the word "agency" strike out "or local governmental unit".

In Section 5, Subsection (2c), line 1 of the re-engrossed bill, which is Section 5, Subsection (2c), line 26 of the printed bill, after the word "agency" strike out "or local governmental unit".

In Section 5, Subsection 3, line 3, of the re-engrossed bill, which is Section 5, Subsection 3, line 34 of the printed bill, after the word "agency" strike out the balance of said subsection.

In Section 10, Subsection 4 of the re-engrossed bill, which is Section 1, Subsection 4 of the printed bill, strike out all of Subsection 4 and substitute in lieu thereof the following as:

**"SUBSECTION 4. LIEN OF TAX—COLLECTION—ACTION AUTHORIZED.)** Whenever any taxpayer liable to pay a tax and/or penalty imposed refuses or neglects to pay the same, the amount, including any interest, penalty, or addition to such tax, together with the costs that may accrue in addition thereto, shall be a lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to said taxpayer.

"The lien aforesaid shall attach at the time the tax becomes due and payable and shall continue until the liability for such amount is satisfied.

"In order to preserve the aforesaid lien against subsequent mortgages, purchasers or judgment creditors, for value and without notice of the lien, on any property situated in a county, the tax commissioner shall file with the register of deeds of the county in which said property is located, a notice of said lien.

"The register of deeds of each county shall prepare and keep in his office a book to be known as "Index of Tax

Liens", so ruled as to show in appropriate columns the following data, under the names of taxpayers, arranged alphabetically:

- "1. The name of the taxpayer.
- "2. The name 'State of North Dakota' as claimant.
- "3. Time notice of lien was received.
- "4. Date of Notice.
- "5. Amount of lien then due.
- "6. When satisfied.

"The register of deeds shall indorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall forthwith index said notice in said index book and shall forthwith record said lien in the manner provided for recording real estate mortgages, and the said lien shall be effective from the time of the indexing thereof.

"The tax commissioner shall pay a recording fee as provided by law for the recording of such lien, or for the satisfaction thereof.

"Upon the payment of a tax as to which the tax commissioner has filed notice with the register of deeds, the tax commissioner shall forthwith file with said register of deeds a satisfaction of said tax and the register of deeds shall enter said satisfaction on the notice on file in his office and indicate said fact on the index aforesaid.

"The attorney general shall, upon the request of the tax commissioner, bring an action at law or in equity, as the facts may justify, without bond to enforce payment of any taxes and/or penalties, and in such action he shall have the assistance of the state's attorney of the county in which the action is pending.

"It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken by the tax commissioner or attorney general shall be construed to be an election on the part of the state or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy provided by law.

"The technical, legal requirements outlined in this section relating to tax liens on all real and personal property of the taxpayer to insure payment of the taxes, including penalties, interest and other costs, are self-explanatory."

Strike out Subsections 5 and 6 of Section 10 of the re-engrossed bill.

Renumber Subsection 7 of Section 10 of the re-engrossed bill as "Subsection 5" and on line 1 of said Subsection 5 after the word "shall" insert the word "not".

In Section 11 of the re-engrossed bill, which is Section 11, page 13, of the printed bill, add Subsection 7 to read as fol-

lows: "SUBSECTION 7. It is hereby provided that all permits issued under the provisions of Chapter 276, 1935 Session Laws, and in effect upon the taking effect of this act are hereby continued and shall remain in full force and effect unless revoked as herein provided."

In Section 15 of the re-engrossed bill, Subsection 2, line 2, which is Section 15, Subsection 2, line 15a of the printed bill, after the word "or" and before the word "gas," insert the word "steam" and a comma.

In Section 15, Subsection 3, line 4 of the re-engrossed bill, which is Section 15, Subsection 3, line 28 of the printed bill, strike out the word "felony" and insert the word "misdemeanor." In the same line of the re-engrossed bill, which is line 29, page 17 of the printed bill, strike out the words "less than," and insert in lieu thereof the words "to exceed".

In Section 15, Subsection 3, line 5 of the re-engrossed bill, which is page 17, line 30, of the printed bill, strike out the language "not more than five thousand dollars".

In Section 15, Subsection 3, line 6 of the re-engrossed bill, which is line 30, page 17, of the printed bill, after the word "imprisoned" insert "in the county jail".

In Section 19, Subsection 2, line 4 of the re-engrossed bill, which is line 11, page 20, of the printed bill after the word "hereafter" and before the word "fixed", strike out the word "by" and insert the word "be".

In Section 16, of the re-engrossed bill, line 8, which is line 9, Section 16, page 17 of the printed bill, correct the spelling of "method is".

In Section 25, line 5 of the re-engrossed bill, which is page 22, line 6, Section 25 of the printed bill, after the word "however," strike out the following: "the sum of Seventy-five Thousand (\$75,000) Dollars per annum" and insert the following: "an amount not to exceed three per cent (3%) of the gross collections".

And the further amendments:

Wherever the word "steam" appears in the engrossed bill, insert a comma immediately following such word.

Amend the committee report by correcting the committee's fourteenth amendment to read "which is Section 10, Subsection 4".

Amend report of committee by striking out all amendments to Section 5.

And when so amended recommend the same do pass.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be

Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

And recommend the same do pass.

Also,

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

And recommend the adoption of the Standing Committee's amendments as follows:

In Section 6, line 19, strike out the words "subpoena witnesses".

In Section 22, at the end of the section, change the period (.) to a comma (,) and add the following: "but any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available for inspection by the applicant in any case where he applies for a fair hearing, either by appeal or otherwise".

In Section 27, line 1, strike out the words "laws" where they appear in that line and insert in lieu thereof the words "acts" in both places.

In line 2, same section, strike out the words "with this act" and insert in lieu thereof the word "herewith".

And when so amended recommend the same do pass.

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

And recommend the adoption of the Standing Committee's amendments as follows:

After Section 10, insert the following as Section 11, and renumber the balance of the sections accordingly.

**SECTION 11. COUNTY APPROPRIATION.)** The Board of County Commissioners in each county in this state shall appropriate annually such sum as, in its judgment, may be needed to carry out the provisions of this Act, including expenses of administration based upon a budget prepared by the County Welfare Board, after taking into account State aid, and shall include in the tax levy for such county the sum or sums appropriated for that purpose. Should the sum be so appropriated, however, be expended or exhausted during the year and for the purpose for which it was appropriated, additional sums shall be appropriated by the Board of County Commissioners.

If the financial condition of any county is such that it cannot make an appropriation or levy a tax for old age assistance or cannot legally issue warrants in an amount sufficient to provide the necessary funds to comply with the provisions of this Act, the Board of County Commissioners shall

report such fact to the State Board. The State Board shall make, or cause to be made, a complete investigation of the financial condition of such county and if such investigation shows that any county cannot appropriate funds or legally issue warrants or levy a tax in an amount sufficient to provide the county's share of funds needed for old age assistance in that county, the State Board may provide either as a grant or as a loan that county's share of funds for old age assistance or so much thereof as may be necessary, from state funds appropriated to the Public Welfare Board for old age assistance.

At the end of Section 17 add the following: "But any part of the records may be used as a basis for decision on claim of the applicant or recipient and shall be available for inspection by the applicant in any case where he applies for a fair hearing either by appeal or otherwise."

Section 6, page 6, line 13, strike out the words "subpoena witnesses."

And when so amended recommend the same do pass.

OSCAR HAGEN,  
Chairman.

Mr. Niewoehner moved that the report of the Committee of the Whole be adopted, which motion prevailed, and the report was adopted.

The Speaker resumed the chair.

## SIXTH ORDER OF BUSINESS

### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bills No. 29, 30, 31, 32, 81 and 104, have had the same under consideration and report that we are unable to agree and beg leave to be discharged.

For the Senate:

WM. J. LOWE  
G. W. KOLPIN  
E. C. STUCKE.

For the House:

EARL D. SYMINGTON  
A. BEGGS  
J. M. THOMPSON.

Mr. Godwin moved that the report of the committee be accepted, the committee discharged, and a new Conference Committee be appointed.

Which motion prevailed.



## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to return:

House Bill No 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds for Farmers in Drouth Stricken Counties of This State; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency.

Which the Senate has amended as shown on page 1321 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Trydahl moved that the House concur in the Senate amendments to House Bill No. 353.

Which motion prevailed.

Mr. Beggs moved that the rules be suspended and that House Bill No. 353 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Jensen	Peterson, Renville
Anfinson	Johnson	Peterson, Richland
Beaton	Jones	Pewe
Beggs	Jury	Rait
Biberdorf	Kapaun	Sand
Billigmeier	Knudson, Steele	Sandness
Bjornson	Knutson, LaMoure	Saumur
Black	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Seibel
Burgum	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Solberg
Dullea	McIntee	Sticka
Fitch	Magill	Symington
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor

Messrs.	Messrs.	Messrs.
Frosaker	Niewoehner	Treffry
Gilberg	Nelson, Sargent	Trydahl
Godwin	Norheim	Tuff
Graham	Obach	Tweten
Greiser	O'Brien	Twichell
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Williams
Holthusen	Olson, Sargent	Wolf
Huseby	Peterson, Bot'neau	Mr. Speaker
Ireland		

Those voting in the negative were:

Messrs.	Messrs.
Akland	Page

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Byrne	Nelson, Cass
Beasley	Gessner	Ritter
Benno	Goodlaxon	Schimke
Bieloh	Hultstrand	Stray
Brusseau	Just	

So the bill passed and the title was agreed to.

Mr. Godwin moved that the vote by which House Bill No. 353 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the House concurred in the Senate amendment to House Bill No. 353.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to request the return of Senate Bill 202.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 15 for signature.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House return House Bill No. 15 to the Senate as requested.

Which motion prevailed.

## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

## HOUSE MEMORIAL RESOLUTION "N".

Also,

## HOUSE CONCURRENT RESOLUTION "E-1".

Also,

## HOUSE CONCURRENT RESOLUTION "D-1".

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Also,

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 39. 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.

Also,

SENATE CONCURRENT RESOLUTION "U".

Also,

SENATE CONCURRENT RESOLUTION "T".

And the Speaker signed the same in the presence of the House.

Mr. Caddell moved that the rules be suspended and that Senate Bill No. 11 be placed at the head of the calendar.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7,

Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Was read the second time.

The Speaker called Mr. Fitch to the chair.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87, nays, 12; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jones	Pewe
Beaton	Jensen	Rait
Bieloh	Just	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knutson, LaMoure	Sandness
Black	Krank	Saumur
Brown	Kraus	Savre
Burgum	LaBerge	Seibel
Byrne	Langford	Semerad
Caddell	Livingston	Severson
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Treffry
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Godwin	Obach	Urschel
Goodlaxon	Oglesby	Wendland
Graham	Olson, Adams	White
Greiser	Olson, Bowman	Wick
Hagen	Olson, McLean	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Johnson	Odegard
Blair	Jury	Shure, Cass
Dittmer	Levin	Symington
Holthusen	O'Brien	Twichell

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Holm	Schauss
Benno	Hultstrand	Schimke

Messrs.	Messrs.	Messrs.
Biberdorf	Knudson, Steele	Stray
Brusseau	Leum	Traynor
Gilberg	Norheim	

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Bieloh moved that the vote by which Senate Bill No. 11 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and Senate Bill No. 222 be placed at the head of the calendar.

Which motion prevailed.

Mr. Page moved that inasmuch as Senate Bill No. 222 has had its second reading, further reading of the bill be omitted.

Which motion prevailed.

Mr. Freitag moved the previous question. A division was called for and the motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 54; nays, 46; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Graham	Peterson, Renville
Beasley	Greiser	Peterson, Richland
Bieloh	Hagen	Pewe
Billigmeier	Haines	Rait
Bjornson	Holm	Ritter
Black	Holmquist	Sandness
Burgum	Holthusen	Saumur
Byrne	Ireland	Savre
Caddell	Jensen	Seibel
Day	Just	Semerad
Dullea	LaBerge	Shurr, Bottineau
Frazier	McIntee	Solberg
Frey	Magill	Sticka
Frosaker	Morris	Thompson
Gessner	Myers	Thoreson
Gilberg	Niewoehner	Treffry
Godwin	Obach	White
Goodlaxon	Olson, Bowman	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Langford	Page
Akland	Leum	Sand
Anfinson	Levin	Schauss
Beaton	Livingston	Severson

Messrs.	Messrs.	Messrs.
Biberdorf	McInnes	Shure, Cass
Blair	Morland	Symington
Brown	Nelson, Cass	Traynor
Dalzell	Nelson, Sargent	Trydahl
Dittmer	Norheim	Tuff
Fitch	O'Brien	Tweten
Freitag	Odegard	Twichell
Huseby	Oglesby	Urschel
Jones	Olson, Adams	Wendland
Kapaun	Olson, McLean	Wick
Knutson, LaMoure	Olson, Sargent	Williams
Kraus		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Johnson	Peterson, Bot'neau
Benno	Jury	Schimke
Brusseau	Knudson, Steele	Stray
Hofstrand	Krank	Mr. Speaker
Hultstrand		

So the bill lost.

Mr. Kapaun: I vote "no" for the purpose of reconsideration.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

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, 56; nays, 49; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Johnson	Peterson, Richland
Anderson	Jury	Pewe
Beaton	Just	Rait
Billigmeier	Krank	Sand
Bjornson	Kraus	Sandness
Burgum	Livingston	Saumur
Byrne	McInnes	Schauss
Caddell	McIntee	Seibel
Dullea	Magill	Severson
Fitch	Morris	Shure, Cass
Frazier	Myers	Solberg
Frey	Niewoehner	Sticka
Gessner	Nelson, Sargent	Thoreson
Gilberg	Obach	Treffry
Godwin	Odegard	Trydahl
Goodlaxon	Olson, Bowman	Tweten
Hagen	Olson, Sargent	White
Hofstrand	Page	Wolf
Ireland	Peterson, Renville	



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Oglesby
Anfinson	Holmquist	Olson, Adams
Beasley	Holthusen	Olson, McLean
Beggs	Huseby	Peterson, Bot'neau
Biberdorf	Jensen	Ritter
Bieloh	Jones	Savre
Black	Kapaun	Semerad
Blair	Knutson, LaMoure	Shurr, Bottineau
Brown	LaBerge	Symington
Dalzell	Langford	Thompson
Day	Leum	Tuff
Dittmer	Levin	Twichell
Freitag	Morland	Urschel
Frosaker	Nelson, Cass	Wendland
Graham	Norheim	Wick
Greiser	O'Brien	Williams
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Knudson, Steele	Traynor
Brusseau	Schimke	Mr. Speaker
Hultstrand	Stray	

So the bill was lost.

#### SEVENTH ORDER OF BUSINESS

Mr. Kapaun moved that the vote by which Senate Bill No. 222 was lost be reconsidered.

Mr. Schauss offered as a substitute motion that Senate Bill No. 222 be laid on the table.

Which motion was lost.

The question being on the original motion of Mr. Kapaun a division was called for and the motion prevailed.

Mr. Godwin moved that the House recess until 8:00 P. M., which motion prevailed and the House recessed.

#### AFTER RECESS

#### EIGHTH ORDER OF BUSINESS

The Speaker appointed as a new Conference Committee on Senate Bills Nos. 30, 31, 29, 32, 81 and 104 Representatives Adam, Schimke and Hultstrand.

#### SEVENTH ORDER OF BUSINESS

Mr. Niewoehner moved that the vote by which Senate Bill No. 177 was lost be reconsidered.

Which motion prevailed.

Mr. Niewoehner moved that Senate Bill No. 177 be placed on the calendar.

Which motion prevailed.

Mr. Kapaun moved that Senate Bill No. 222 be placed on the calendar.

Mr. Schauss offered as a substitute motion that Senate Bill No. 222 be laid on the table.

Which motion was lost.

The question being on the original motion of Mr. Kapaun, the motion prevailed.

## FIFTH ORDER OF BUSINESS

### REPORT OF STANDING COMMITTEES

A majority of your Committee on Ways and Means made the following report:

Mr. Speaker: A majority of your Committee on Ways and means to whom was referred:

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUS. A. SCHAUSS  
K. A. FITCH  
PETER PETERSON  
HARRY O'BRIEN  
H. W. BROWN  
CARL H. PEWE  
FRED SEIBEL  
CARL ANFINSON,  
Chairman.

Mr. Seibel moved that the report be adopted.

A minority of your Committee on Ways and Means made the following report:

Mr. Speaker: A minority of your Committee on Ways and means to whom was referred:

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

Have had the same under consideration and recommend that the same do pass.

PETERSON, Richland  
EARL D. SYMINGTON  
ARLO E. BEGGS.

Mr. Solberg moved that the report of the minority be substituted for that of the majority.

Mr. Caddell moved the previous question.

Which motion prevailed.

The question being on Mr. Solberg's motion, a division was called for and the motion prevailed.

Mr. Fitch moved that Senate Bill No. 59 be referred to General Orders for amendment.

Which motion was lost.

The Committee on Ways and Means made the following report:

Mr. Speaker: Your Committee on Ways and Means to whom was referred:

#### HOUSE RESOLUTION "M"

Have had the same under consideration and recommend that the same do pass.

CARL ANFINSON,  
Chairman.

Mr. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Was read the second time.

Mr. Solberg asked unanimous consent of the House to amend Senate Bill No. 180 by striking out line 7 of Section 1, which is a repetition, which consent was granted.

Mr. Solberg moved that the rules be suspended and that Senate Bill No. 180 be considered properly re-engrossed and placed on 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, 101; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe

Messrs.	Messrs.	Messrs.
Beaton	Jones	Rait
Beggs	Jury	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Krank	Saumur
Black	Kraus	Savre
Blair	LaBerge	Schimke
Brown	Langford	Seibel
Burgum	Leum	Semerad
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	McIntee	Solberg
Dittmer	Magill	Sticka
Dullea	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Hofstrand	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.
Adam	Biberdorf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Knutson, LaMoure
Benno	Ireland	Schauss
Brusseau	Knudson, Steele	Tuff
Gessner		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Wolf moved that the vote by which Senate Bill No. 180 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Frazier offered the following Resolution:

WHEREAS, it has come to the attention of the House of Representatives that Representative Harvey Brusseau of the

Eighteenth Legislative District was called to his home on Sunday upon the death of his father:

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives extends its sincere sympathy to Representative Brusseau and his family, in their bereavement.

Mr. Godwin moved that the Resolution be adopted and that a copy of such Resolution be sent to Mr. Brusseau.

Which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "H".

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 78; nays, 24; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Olson, Bowman
Akland	Ireland	Page
Anfinson	Jensen	Peterson, Renville
Beasley	Johnson	Rait
Beggs	Jury	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Schauss
Blair	LaBerge	Seibel
Brown	Langford	Severson
Burgum	Leum	Shure, Cass
Byrne	Levin	Shurr, Bottineau
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Frey	Myers	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Twichell
Gilberg	Norheim	Urschel
Godwin	Obach	Wendland
Haines	O'Brien	White
Hofstrand	Oglesby	Wolf
Holm	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Greiser	Peterson, Bot'neau
Beaton	Hagen	Peterson, Richland
Biberdorf	Holmquist	Pewe
Black	Holthusen	Ritter
Dittmer	Jones	Semerad

Messrs.	Messrs.	Messrs.
Freitag	Nelson, Sargent	Tweten
Goodlaxon	Odegard	Wick
Graham	Olson, McLean	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Knudson, Steele	Schimke
Brusseau	Knutson, LaMoure	Stray
Hultstrand	Olson, Sargent	Tuff
Just	Savre	

So the resolution was adopted.

Mr. Page moved that the vote by which Senate Concurrent Resolution "H" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that action on Senate Bill No. 187 be deferred.

Which motion prevailed.

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Was read the second time.

The Speaker called Mr. Fitch to the chair.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 3; absent and not voting 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pew
Beaton	Johnson	Rait
Bieloh	Jones	Ritter
Billigmeier	Jury	Sand
Bjornson	Just	Sandness
Black	Kapaun	Saumur

Messrs.	Messrs.	Messrs.
Blair	Krank	Seibel
Brown	Langford	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Sticka
Dittmer	Magill	Stray
Dullea	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Niewoehner	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Norheim	Trydahl
Gilberner	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Biberdorf	Schimke
Absent and not voting:		
Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Schauss
Benno	Knudson, Steele	Savre
Brusseau	Knutson, LaMoure	Nelson, Sargent
Fitch	Kraus	Tuff
Godwin	LaBerge	Wick

So the bill passed and the title was agreed to.

Mr. Tweten 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. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontin-

uance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and 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, 78; nays, 24; absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Bowman
Akland	Holthusen	Olson, McLean
Anderson	Huseby	Page
Anfinson	Ireland	Peterson, Bot'neau
Beasley	Jensen	Peterson, Richland
Beaton	Jury	Rait
Beggs	Just	Ritter
Biberdorf	Kapaun	Sand
Bieloh	Krank	Sandness
Billigmeier	Kraus	Saumur
Bjornson	Langford	Savre
Brown	Leum	Schauss
Burgum	Levin	Schimke
Caddell	Livingston	Seibel
Dalzell	McInnes	Semerad
Fitch	McIntee	Severson
Frazier	Magill	Shurr, Bottineau
Freitag	Morland	Solberg
Frosaker	Myers	Sticka
Godwin	Niewoehner	Symington
Goodlaxon	Nelson, Cass	Thoreson
Graham	Norheim	Trydahl
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Odegard	White
Holm	Olson, Adams	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Black	Gilberg	Stray
Blair	Hofstrand	Thompson
Byrne	Johnson	Traynor
Day	Jones	Treffry
Dittmer	Morris	Twichell
Dullea	Nelson, Sargent	Wendland
Frey	Oglesby	Williams
Gessner	Pewe	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Knutson, LaMoure	Shure, Cass
Brusseau	LaBerge	Tuff



Messrs.	Messrs.	Messrs.
Hultstrand	Olson, Sargent	Wick
Knudson, Steele	Peterson, Renville	

So the bill passed and the title was agreed to.

Mr. Frazier moved that the vote by which Senate Bill No. 187 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and 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, 82; nays, 11; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Olson, McLean
Akland	Ireland	Peterson, Bot'neau
Anfinson	Johnson	Peterson, Renville
Beasley	Jones	Pewe
Beaton	Jury	Sand
Bjornson	Just	Sandness
Black	Kapaun	Saumur
Blair	Krank	Savre
Brown	Kraus	Seibel
Burgum	Langford	Severson
Byrne	Leum	Shure, Cass
Caddell	Levin	Shurr, Bottineau
Dalzell	Livingston	Solberg
Dittmer	McIntee	Sticka
Dullea	Magill	Stray
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Nelson, Sargent	Treffry
Gessner	Norheim	Trydahl
Gilberg	Obach	Twichell
Godwin	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Oglesby	White
Holm	Olson, Adams	Williams
Holmquist	Olson, Bowman	Wolf
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Greiser	Ritter
Biberdorf	Jensen	Semerad
Bieloh	Myers	Tweten
Billigmeier	Rait	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Peterson, Richland
Benno	Knudson, Steele	Schauss
Brusseau	Knutson, LaMoure	Schumke
Day	LaBerge	Tuff
Hagen	McInnes	Wick
Haines	Olson, Sargent	Mr. Speaker
Hofstrand	Page	

So the bill passed and the title was agreed to, the emergency clause declared carried.

Mr. Jury moved that the vote by which Senate Bill No. 142 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Ritter moved that further consideration of Senate Bill No. 206 be indefinitely postponed.

Which motion prevailed.

Mr. Ritter moved that the action by which Senate Bill No. 206 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

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, 82; nays, 15; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Odegard
Anderson	Holthusen	Oglesby
Anfinson	Huseby	Olson, Adams
Beasley	Ireland	Olson, Bowman

Messrs.	Messrs.	Messrs.
Beaton	Jensen	Olson, McLean
Beggs	Johnson	Page
Biberdorf	Jones	Peterson, Bot'neau
Bieloh	Jury	Peterson, Renville
Bjornson	Just	Sandness
Black	Kapaun	Saumur
Blair	Knudson, Steele	Savre
Brown	Krank	Schimke
Burgum	Kraus	Seibel
Byrne	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Dittmer	Livingston	Solberg
Dullea	McInnes	Sticka
Fitch	Morland	Stray
Freitag	Morris	Symington
Frosaker	Myers	Thompson
Gessner	Niewoehner	Traynor
Godwin	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Twichell
Graham	Norheim	Urschel
Hagen	Obach	Wendland
Haines	O'Brien	White
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Thoreson
Billigmeier	McIntee	Treffry
Frazier	Pewe	Williams
Frey	Rait	Wolf
Greiser	Sand	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	LaBerge	Schauss
Brusseau	Magill	Shurr, Bottineau
Day	Olson, Sargent	Tuff
Gilberg	Peterson, Richland	Tweten
Hultstrand	Ritter	Wick
Knutson, LaMoure		

So the bill passed and the title was agreed to.

Mr. Burgum moved that the vote by which Senate Bill No. 182 was lost be reconsidered.

Which motion prevailed.

Mr. Burgum moved that Senate Bill No. 182 be placed on the calendar.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following: L. J. Morland, Twin Valley; Clarence Tweet, Reeder; E. Stone-

house, Larimore; Harry Worner, Mapleton; Verva Nelson, Mapleton; Lorraine Melson, Mapleton; Lauren Melson, Mapleton; Mr. and Mrs. John Hernley, Denhoff; Mr. and Mrs. R. H. Seegle, Denhoff; Ed. Fiebiger, Dunn Center; Robert Stnoip, Dickinson; Lois Odland, 1002 4th St.; A. E. Goldhammer, Lakota; Arthur Nelson, Keene; Loyd Larson, Keene; H. H. Westeil, Minot; J. G. Odette, Minot; F. H. Kalbfleish, Minot; J. L. Odette, Minot; G. H. Kalbfleish, Minot; H. H. Nistle, Minot; Carl Jacobson, Crosby; Inga Johnson, Bismarck; Mrs. Margaret Sullivan, Bismarck; Mike Zako, Kief; Otto Lentz, Rolla, Chas. McMaster, Rolla; A. Cote, Dunseith; Andrew Halvorson, Upham, Bulah Shurr, Bismarck; Dorothy Lennox, Bismarck, Mrs. C. T. Olson, Bowman, Wilma Larson, Bismarck; Lucille Hendricks, Underwood, H. H. Miller, Werner.

Mr. Godwin moved that the House recess until 9:30 A. M., tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS AND  
FIFTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

The House convened at 9:30 A. M., pursuant to recess, Speaker Dahl presiding.

Mr. Holmquist moved that further consideration of Senate Bill No. 216 be indefinitely postponed.

Mr. Trydahl moved the previous question.

Which motion prevailed.

The question being on Mr. Holmquist's motion that Senate Bill No. 216 be indefinitely postponed, a roll call was demanded and granted.

ROLL CALL

The question being on Mr. Holmquist's motion the roll was called and there were ayes, 76; nays, 28; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holm	Oglesby
Anderson	Holmquist	Page
Anfinson	Holthusen	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Biberdorf	Ireland	Rait
Bieloh	Jensen	Ritter
Billigmeier	Johnson	Sandness
Bjornson	Jury	Saumur
Black	Kapaun	Savre
Blair	Knudson, Steele	Schimke
Caddell	Krank	Semerad
Dalzell	Kraus	Severson
Dittmer	LaBerge	Shure, Cass
Dullea	Leum	Shurr, Bottineau
Fitch	Livingston	Solberg

Messrs.	Messrs.	Messrs.
Freitag	McInnes	Sticka
Frey	Magill	Stray
Gessner	Morland	Symington
Gilberg	Morris	Thompson
Godwin	Myers	Traynor
Goodlaxon	Niewoehner	Trydahl
Graham	Nelson, Cass	Twichell
Greiser	Norheim	Urschel
Hagen	Obach	White
Haines	Odegard	Wick
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Levin	Schauss
Beaton	McIntee	Seibel
Beggs	Nelson, Sargent	Thoreson
Brown	Olson, Adams	Treffry
Burgum	Olson, Bowman	Tweten
Byrne	Olson, McLean	Wendland
Day	Olson, Sargent	Williams
Frazier	Peterson, Bot'neau	Wolf
Just	Pewe	Mr. Speaker
Langford		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Hultstrand	O'Brien
Brusseau	Jones	Sand
Frosaker	Knutson, LaMoure	Tuff

So the motion prevailed and Senate Bill No. 216 was indefinitely postponed.

Mr. Godwin: I vote "aye" for the purpose of reconsideration.

Mr. Thoreson: I vote "no" on this bill because I believe in academic freedom, and furthermore I believe that teachers are exceedingly patriotic without forcing them, and requiring them, to take this oath. I vote "no".

Mr. Frazier: I vote "no" on this bill because I don't think that any man's taking this oath, or any person's taking the oath, makes him one bit more patriotic. I have seen that displayed in this House, right here, on a number of occasions. I vote "no".

## SECOND READING OF SENATE BILLS

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; 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, 101; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Bot'neau
Akland	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Beggs	Just	Sandness
Biberdorf	Kapaun	Saumur
Bieloh	Knudson, Steele	Savre
Billigmeier	Krank	Schauss
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	McInnes	Solberg
Dalzell	McIntee	Sticka
Day	Magill	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Treffry
Freitag	Nelson, Sargent	Trydahl
Frey	Norheim	Tweten
Gessner	Obach	Twichell
Gilberg	O'Brien	Urschel
Godwin	Odegard	Wendland
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Wick
Greiser	Olson, Bowman	Williams
Hagen	Olson, McLean	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand	Page	

Those voting in the negative were:

Messrs.	Messrs.
Holthusen	Hultstrand

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Jones	Sand
Brusseau	Knutson, LaMoure	Traynor
Frosaker	Nelson, Cass	Tuff
Holm		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Wolf moved that the vote by which Senate Bill No. 243

was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "P".

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 77; nays, 27; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Anderson	Holmquist	Peterson, Richland
Anfinson	Holthusen	Pewe
Beasley	Hultstrand	Ritter
Beaton	Huseby	Sand
Biberdorf	Ireland	Sandness
Bieloh	Jury	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Schimke
Brown	LaBerge	Seibel
Burgum	Langford	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Day	Livingston	Sticka
Dittmer	Morland	Stray
Fitch	Myers	Thompson
Freitag	Niewoehner	Thoreson
Gilberg	Norheim	Treffry
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	White
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Mr. Speaker
Hofstrand	Olson, McLean	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Just	Page
Blair	Knudson, Steele	Peterson, Renville
Dalzell	Kraus	Rait
Dullea	McIntee	Shure, Cass
Frazier	Magill	Traynor
Frey	Morris	Trydahl
Gessner	Nelson, Cass	Twichell
Jensen	Nelson, Sargent	Williams
Johnson	Olson, Sargent	Wolf



Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Frosaker	Solberg
Benno	Jones	Symington
Brusseau	McInnes	Tuff

So the resolution was adopted.

Mr. White moved that the vote by which Senate Concurrent Resolution "P" was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: I don't think it is a smart plan to change the interest rate, because it is going to reduce the income to our state institutions.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House request the Senate to return Senate Bill No. 253 to the House.

Which motion prevailed.

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Was read the second time.

Mr. Beggs asked the unanimous consent of the House to amend Senate Bill No. 132 as follows: After the first enacting clause strike out all the "Whereas" clauses, including the second enacting clause on page 3.

Which consent was granted.

Mr. Twichell asked the unanimous consent of the House to amend Senate Bill No. 132 as follows: After the word "Act" at the end of the title, strike out the period, insert a semi-colon, and add the following language: "Declaring an Emergency".

Which consent was granted.

Mr. Beggs moved that the rules be suspended and that Senate Bill No. 132 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

Mr. Ritter moved the previous question.

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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Sargent
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Blair	Kraus	Semerad
Brown	LaBerge	Severson
Burgum	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Thompson
Dullea	Magill	Thoreson
Fitch	Morris	Traynor
Frazier	Myers	Treffry
Freitag	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Norheim	Twichell
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Oglesby	Wick
Hagen	Olson, Adams	Williams
Haines	Olson, Bowman	Mr. Speaker
Hofstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Morland	Schauss
Frey	Olson, McLean	Symington
Ireland	Saumur	Wolf
Jones		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Sand moved that the vote by which Senate Bill No. 132 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Re-

pairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

Mr. Sand moved the previous motion.

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, 86; nays, 15; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Adams
Anderson	Holthusen	Olson, Bowman
Anfinson	Hultstrand	Olson, McLean
Beasley	Huseby	Olson, Sargent
Beaton	Johnson	Page
Beggs	Jury	Peterson, Bot'neau
Benno	Just	Peterson, Renville
Billigmeier	Kapaun	Peterson, Richland
Bjornson	Knudson, Steele	Rait
Black	Krank	Ritter
Brown	Kraus	Sand
Burgum	LaBerge	Sandness
Byrne	Langford	Schauss
Caddell	Leum	Schimke
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Sticka
Dullea	McIntee	Stray
Fitch	Magill	Symington
Frazier	Morland	Thompson
Freitag	Morris	Thoreson
Frey	Myers	Traynor
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Urschel
Gilberg	Nelson, Sargent	Wendland
Godwin	Obach	White
Goodlaxon	O'Brien	Wolf
Graham	Odegard	Mr. Speaker
Haines	Oglesby	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Pewe	Treffry
Greiser	Seibel	Tweten
Hofstrand	Semerad	Twichell
Holmquist	Severson	Wick
Knutson, LaMoure	Solberg	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hagen	Norheim
Biberdorf	Ireland	Saumur
Bieloh	Jensen	Savre
Brusseau	Jones	Tuff

So the bill passed and the title was agreed to.

THURSDAY, MARCH 4, 1937

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Mr. Dullea moved that the vote by which Senate Bill No. 74 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Holmquist: I vote "no" on this bill due to the fact that in my estimation the appropriation is altogether too high, \$65,283.00 more than two years ago. Therefore I vote "no".

Mr. Knutson of LaMoure: I vote "no" on this because I think the appropriation for administrative salaries is outrageous. \$83,000.00 just for salaries is too much in these times.

Mr. White: I don't think the salaries should be cut just because some people work out there for nothing.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith the following bills and resolutions:

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Also,

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 39. 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.

Also,

SENATE CONCURRENT RESOLUTION "U"

Also,

SENATE CONCURRENT RESOLUTION "T"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## EIGHTH ORDER OF BUSINESS

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

And the Speaker signed the same in the presence of the House.

## MESSAGES TO THE SENATE

House Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to transmit herewith the following bills and resolutions:

## HOUSE CONCURRENT RESOLUTION "O"

Also,

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Chil-

dren Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adop-

tion by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "D-1"

Also,

HOUSE CONCURRENT RESOLUTION "E-1"

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Repair-

ations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of Its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to inform you that the House has refused to adopt the report of the Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104, and the Speaker has appointed as a new Conference Committee Representatives Adam, Schimke and Hultstrand.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith the following bills:



Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 158, Session Laws of 1933, Relating to Foreclosure of Mortgages by Advertisement.

Also,

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Also

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return:

SENATE CONCURRENT RESOLUTION "H"

Which the House has amended on page 1599 in the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Also,

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year

1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Also,

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Also,

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill: Senate Bill No. 202 in accordance with the request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty,

and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the

Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

#### HOUSE CONCURRENT RESOLUTION 356.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 160, Senators Fine, Magaffin and Trout.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

Also,

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Also,

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into

Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City Council, Providing Form of Ballot, Notice of Election, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 308. A Bill for an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to Be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons, and Declaring an Emergency.

Also,

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

Also,

House Bill No. 364. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrapper, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolutions:

SENATE CONCURRENT RESOLUTION "X".

Also,

SENATE CONCURRENT RESOLUTION "Y".

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Also,

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Also,

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Also,

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Also,

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Confering Additional Power Upon Municipalities; and Declaring an Emergency.

Also,

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Also,

Senate Bill No. 176. A Bill for an Act to Amend and Re-



enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Also,

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Also,

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

### SECOND READING OF SENATE BILLS

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Was read the second time.

Mr. Seibel 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, 68; nays, 33; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Olson, McLean
Anfinson	Haines	Page
Beasley	Holm	Peterson, Bot'neau
Beggs	Holmquist	Peterson, Renville
Benno	Huseby	Peterson, Richland
Biberdorf	Just	Pewe
Bieloh	Kapaun	Rait
Billigmeier	Knutson, LaMoure	Ritter
Black	Krank	Sandness
Brown	Langford	Savre
Burgum	Leum	Schimke
Byrne	Levin	Seibel
Caddell	Livingston	Semerad
Day	Magill	Solberg
Dullea	McIntee	Sticka
Frazier	Morris	Stray
Frey	Myers	Thompson
Frosaker	Niewoehner	Thoreson
Gessner	Nelson, Cass	Treffry
Gilberg	Obach	Urschel

Messrs.	Messrs.	Messrs.
Godwin	O'Brien	White
Goodlaxon	Olson, Adams	Williams
Graham	Olson, Bowman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Schauss
Akland	Jensen	Severson
Bjornson	Knudson, Steele	Symington
Blair	Kraus	Traynor
Dalzell	McInnes	Trydahl
Dittmer	Morland	Tweten
Fitch	Norheim	Twichell
Freitag	Odegard	Wendland
Greiser	Oglesby	Wick
Hofstrand	Olson, Sargent	Wolf
Holthusen	Sand	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jones	Saumur
Brusseau	Jury	Shure, Cass
Ireland	LaBerge	Shurr, Bottineau
Johnson	Nelson, Sargent	Tuff

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Page: I vote "aye" for the purpose of reconsideration.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 24 be placed at the head of the calendar.

Which motion prevailed.

Mr. Godwin moved that at the completion of the second reading of Senate Bill No. 24, the House recess until 1:30 P. M., which motion prevailed.

The Speaker called Mr. Wolf to the chair.

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Providing for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Provid-

ing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Was read the second time.

The House recessed.

#### AFTER RECESS

The House convened at 1:30 P. M., pursuant to recess, Speaker Dahl presiding.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State; Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws, Relating to Limiting the Hours of Employment of Municipal Employees,

Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Ad-

mitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State; Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State; Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare

Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### SEVENTH ORDER OF BUSINESS

Mr. Schauss moved that the House request of the Senate the return of Senate Bill No. 248, Senate Bill No. 40 and Senate Bill No. 246.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cos-



metics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 203. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws, Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and In-

vestment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the Compiled Laws of 1913 Relating to Prohibiting Smoking in Specified Places.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Re-

pairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Also,

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Confering Additional Power Upon Municipalities; and Declaring an Emergency.

Also,

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Also,

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Also,

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to

the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Also,

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Also,

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 229. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Also,

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of

North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Also,

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

And the Speaker signed the same in the presence of the House.

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the House return to the Senate the Senate Messages for correction.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith the following message from the Senate for correction.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Fitch moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House be on the Fourteenth Order of Business.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 24, Mr. Olson moved the previous question, which motion prevailed. The roll was called and there were ayes, 54; nays, 53; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Hofstrand	Oglesby
Beaton	Holm	Olson, Bowman
Benno	Holthusen	Peterson, Renville
Billigmeier	Ireland	Peterson, Richland
Black	Johnson	Sandness
Brown	Jury	Saumur
Burgum	Just	Savre
Dalzell	Kapaun	Schimke
Day	Knudson, Steele	Séverson
Dullea	Langford	Shurr, Bottineau
Fitch	Leum	Solberg
Frey	Livingston	Stray
Frosaker	McInnes	Symington
Gessner	Magill	Trydahl
Gilberg	Morland	Wendland
Godwin	Morris	White
Goodlaxon	Niewoehner	Wolf
Graham	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Ritter
Akland	Jones	Sand
Anderson	Krank	Schauss
Anfinson	Kraus	Seibel
Biberdorf	Levin	Semerad
Bieloh	McIntee	Shure, Cass
Bjornson	Myers	Sticka
Blair	Norheim	Thompson
Caddell	Obach	Thoreson
Dittmer	O'Brien	Traynor
Frazier	Odegard	Treffry
Freitag	Olson, Adams	Tuff
Greiser	Olson, McLean	Tweten
Hagen	Olson, Sargent	Twichell
Haines	Page	Urschel
Holmquist	Peterson, Bot'neau	Wick
Hultstrand	Pewe	Williams
Huseby	Rait	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Byrne	LaBerge
Brusseau	Knutson, LaMoure	Nelson, Sargent

So the bill lost.

Mr. O'Brien: I vote "no" for the purpose of reconsideration.

Mr. Adam: I vote "no" on this bill because if it is referred to a vote of the people it will cost more money than supporting the highways for two or three years.

Mr. Burgum: I vote "aye" on this bill because without it we have no adequate licensing system, we have no patrol, we have no safety upon the highways of the State. I vote "aye" for Senate Bill No. 24.

Mr. Olson of Adams: I vote "no" on this bill because there are at least twenty-five laws to take care of this entire situation. I don't think there is any necessity for Senate Bill No. 24, and therefore I vote "no".

Mr. Kraus moved that the House adjourn.

Which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTY-NINTH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. N. E. Elsworth of Bismarck.

The roll was called, and all members were present except Representatives Beggs, Brusseau, Kapaun, Nelson of Sargent, Olson of Adams and Tuff.

So a quorum was declared present.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to request the return of Senate Bill No. 253.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

THURSDAY, MARCH 4, 1937

1759

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith enrolled Senate Bills, Nos. 246, 248 and 40, which the House messaged to the Senate in error as "unchanged" when they were each amended.

The House respectfully requests the return of Senate Bills 246, 248 and 40.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

REPORT OF COMMITTEE ON REVISION AND  
CORRECTION OF THE JOURNAL

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-Seventh Day after recess and the Fifty-Eighth Day and recommend that the same be corrected as follows:

Page 1790, Senate Bill No. 353 shows Kapaun voting "no" whereas he voted "aye".

Page 1791, Senate Bill No. 352 shows Semerad absent, whereas he voted "aye".

Page 1790, Senate Bill No. 353 shows Dittmer voting "no" whereas he voted "aye".

Page 1794, strike out House Bill No. 178, House Bill No. 81 and House Bill No. 118.

Page 1794, change House Bill No. 178 to Senate Bill No. 178.

Page 1795 change House Bill No. 12 to Senate Bill No. 12; change House Bill No. 10 to Senate Bill No. 10; and change House Bill No. 39 to Senate Bill No. 39.

Page 1813, strike out Senate Bill No. 253 and title.

On page 1651 of the Journal for March 1st, immediately before: "Second Reading of Senate Bills" insert the following message to the Senate.

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to inform you that the



House has concurred in the Senate amendment to House Bill No. 249.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

And when so corrected recommend the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Communications from the North Dakota Taxpayers' Association read by the Clerk.

Mr. Traynor moved that the communication be accepted, and that at the close of the Session it be filed with the Secretary of State.

Which motion prevailed.

Communication from the Bismarck Townsend Club.

Communication from Lilah M. Walker of Burt, North Dakota, urging passage of Senate Bill No. 98.

Communication of thanks from Mrs. Henry McLean and family for Resolution sent by the House of Representatives.

Communication from Senator Lynn J. Frazier acknowledging receipt of House Resolution "L".

Communication from Franz Frank of Aurora, opposing to cancellation of past due taxes.

Petition from eighty signers of Milnor opposing the passage of a chain store tax bill.

#### SEVENTH ORDER OF BUSINESS

House Resolution "O", introduced by Representative Bur-gum, was read.

Mr. Wolf moved that the Resolution be adopted.

Which motion prevailed.

House Concurrent Resolution "F-1" introduced by Representatives Caddell and Wolf, was read.

Mr. Ritter moved that the Resolution be adopted.

Which motion prevailed.

Mr. Thoresen moved that House Concurrent Resolution "F-1" be printed in the Journal.

Which motion prevailed.

THURSDAY, MARCH 4, 1937

1761

HOUSE CONCURRENT RESOLUTION "F-1"

Introduced by Caddell and Wolf

FARM GRAIN STORAGE FACILITIES

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING.

WHEREAS, the agricultural producers are at an economic disadvantage in that the products they purchase must be paid for on a cost plus basis in a seller's market and the products they sell are sold at a price having no necessary relation to the cost of production in a buyer's market, and

WHEREAS, the recent history of the price of agricultural products demonstrates that a large crop tends to depress prices often below the cost of production and a short crop tends to raise prices at a time when the producer has no products to sell, and

WHEREAS, that condition is caused in part by the inability of the producer to hold his products for a cost of production plus price, and

WHEREAS, it is important for such producer to be able to store his wheat upon his farm without paying storage if he is to be able to hold his grain for a cost of production plus price, and

WHEREAS, such solution is not now possible because of the fact that but few such agricultural producers have storage facilities upon their farms, and are unable to construct such storage facilities due to their present financial condition, caused, in part, by the circumstances herein set out, and

WHEREAS, the cost of the construction of storage facilities upon the farms of this state for the home storage of grain would be little in comparison to the advantage to be obtained from such construction, and

WHEREAS, it is desirable that some arrangements be made to loan to such agricultural producers the funds necessary for the construction of such storage facilities, and

WHEREAS, the State of North Dakota in its present financial condition is not able to finance such loans, and

WHEREAS, the present Federal Administration has indicated a desire to be of assistance to the Agricultural producers and place them on a parity with other producers, and

WHEREAS, an ever normal granary would be a step in the solution of the agricultural producers economic problems, and

WHEREAS, the local farm storage of such grain will produce the results desired more easily and cheaply and

to the best interests of the agricultural producer, now therefore,

**BE IT RESOLVED THAT** the House of Representatives of the State of North Dakota, the Senate concurring, do respectively petition the Honorable Franklin D. Roosevelt, President of the United States, and the Honorable Henry A. Wallace, Secretary of Agriculture, that arrangements be made for Federal loans to the agricultural producers of the State of North Dakota for the construction of suitable grain storage facilities upon the farms of the borrowers, and

**BE IT FURTHER RESOLVED,** that copies of this resolution be sent to the Honorable Franklin D. Roosevelt, President of the United States, and Honorable Henry A. Wallace, Secretary of Agriculture, and to each Representative of the State of North Dakota in the United States Senate and House of Representatives.

Mr. Burgum moved that House Resolution "O" be printed in the Journal.

Which motion prevailed.

#### HOUSE RESOLUTION "O"

Introduced by Representative Burgum

In view of the high cost of seed it will be impossible for many of the farmers of this state to seed the land normally farmed by them at a total seed expense of Four Hundred (\$400.00) Dollars; and

In view of the further fact that many of these farmers will be unable to secure their seed requirements unless they can obtain the necessary credit through the Farm Credit Administration; Therefore

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:**

**SECTION 1.** That we hereby do most respectfully request the President of the United States to certify the entire territory comprising the State of North Dakota as a distressed emergency area to the Governor of the Farm Credit Administration under the provisions contained in the proviso in Subdivision (c) of Section 2 of H. R. 1545 enacted by the United States Congress.

**SECTION 2. BE IT FURTHER RESOLVED:** That a copy of this Resolution be forthwith forwarded to the Honorable Franklin D. Roosevelt with the request that he give it his immediate and serious attention.

**SENATE CONCURRENT RESOLUTION "X",** introduced by Senator Williams, providing for the establishment of a park near Epping, Williams County, North Dakota, was read.

Mr. Wolf moved the Resolution be referred to the Appropriations Committee.

Mr. Bjornson offered as a substitute motion that the Resolution be placed on the calendar.

The question being on Mr. Bjornson's motion a roll call was demanded and granted.

### ROLL CALL

The roll was called and there were ayes, 51; nays, 56; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Haines	Myers
Anfinson	Holm	Nelson, Sargent
Beaton	Holmquist	Olson, Adams
Benno	Holthusen	Olson, Bowman
Bjornson	Huseby	Olson, Sargent
Brown	Ireland	Peterson, Renville
Burgum	Jury	Rait
Caddell	Kapaun	Savre
Day	Knudson, Steele	Schauss
Dittmer	LaBerge	Severson
Fitch	Langford	Shurr, Bottineau
Frazier	Leum	Solberg
Frosaker	Levin	Stray
Gessner	Livingston	Symington
Godwin	McIntee	Trydahl
Graham	Magill	Urschel
Hagen	Morland	White

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Sandness
Akland	Jones	Saumur
Beasley	Just	Schimke
Beggs	Knutson, LaMoure	Seibel
Biberdorf	Krank	Semerad
Billigmeier	Kraus	Shure, Cass
Black	McInnes	Sticka
Blair	Morris	Thompson
Byrne	Nelson, Cass	Thoreson
Dalzell	Norheim	Traynor
Dullea	Obach	Treffry
Freitag	O'Brien	Tuff
Frey	Odegard	Tweten
Gilberg	Oglesby	Twichell
Goodlaxon	Page	Wendland
Greiser	Peterson, Bot'neau	Williams
Hofstrand	Peterson, Richland	Wolf
Hultstrand	Pewe	Mr. Speaker
Jensen	Ritter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bieloh	Niewoehner	Sand
Brusseau	Olson, McLean	Wick

So the motion was lost.

Mr. Caddell: There is quite a little about this proposition that I don't know, but I understand the government has gone in there and spent a lot of money, and the idea of this bill is to keep control of the property so that outsiders can't come in and build up private enterprises around there. For that reason I vote "aye".

Mr. Magill. I believe in the Golden Rule of returning good for evil, so I vote "aye".

The question now being on the original motion of Mr. Wolf, the motion was lost.

Mr. Solberg moved that Senate Concurrent Resolution "X" be printed in the Journal.

Mr. Akland offered as a substitute motion that Senate Concurrent Resolution "X" be laid on the table.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "Y" introduced by Senators Whelan, Brostuen, Thoreson and Gilbertson, pertaining to toll charges through the Panama canal, was read.

Mr. Fitch moved the adoption of the Resolution.

A division was called for, the motion prevailed, and Senate Concurrent Resolution "Y" was adopted.

Mr. Wolf moved that copies of House Resolution "O" be sent to the North Dakota Congressmen and Senators.

Which motion prevailed.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 160 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Have had the same under consideration and recommend that the House concur in the Senate amendments found on pages 1241, 1242 and 1251 of the Senate Journal.

For the Senate:

C. W. FINE  
E. MAGOFFIN  
W. J. TROUT

For the House:

GUS A. SCHAUSS  
IVER SOLBERG  
H. W. McINNES

Mr. Wolf moved that the House accept the report of the Conference Committee and that the Conference Committee be discharged.

Which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 160 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 91; nays, 6; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Anderson	Hultstrand	Peterson, Bot'neau
Beaton	Huseby	Peterson, Richland
Beggs	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Jones	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Bjornson	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre
Brown	Krank	Schauss
Burgum	Kraus	Seibel
Byrne	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Solberg
Dullea	McIntee	Sticka
Freitag	Magill	Symington
Frey	Morland	Thompson
Frosaker	Myers	Thoreson
Gessner	Niewoehner	Treffry
Gilberg	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Greiser	Odegard	Wick
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Blair	Norheim
Beasley	Morris	Page

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Jury	Stray
Brusseau	LaBerge	Traynor
Fitch	Olson, McLean	Tuff
Frazier	Peterson, Renville	Twichell
Holthusen	Schimke	Urschel
Johnson		

So the bill passed and the title was agreed to.

The Speaker called Mr. Wolf to the chair.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 160.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Which the Senate has amended as follows:

After the title, insert the following language:

“Be It Enacted by the Legislative Assembly of the State of North Dakota:”

Strike out all of Sections 1, 2 and 3, and insert the following in lieu thereof:

“Section 1. There is hereby appropriated from the State Public Welfare Fund, created and established by House Bill No. 199, pending in this legislative assembly, the sum of \$2,-600,000.00 or so much thereof as may be necessary to be expended by the Public Welfare Board in providing public as-

sistance for the needy aged, the needy blind, and to dependent children, and for child welfare services and services to crippled children, or so much thereof as may be necessary in carrying out and effectuating such programs in coordination with and supplementary to funds made available for like purposes in North Dakota by the Federal Government.

"Section 2. Disbursement under this act shall be made for the purpose of providing old age assistance, aid to dependent children, and aid to the blind, also in providing child welfare services and services to crippled children, in co-operation with the Federal Government, under the provisions of the Social Security Act, and in payment of the cost of administration of each of these programs.

Section 3. Whenever, during the biennium ending June 30, 1937, or the biennium ending June 30, 1939, the balance remaining in the State Public Welfare Fund shall prove insufficient to meet the requirements for old age assistance, aid to the blind, aid to dependent children, services to crippled children, and child welfare services, the State Board of Equalization of North Dakota is hereby authorized and directed to make a levy of a sum sufficient to make up such deficiency and to make a transfer to said sum from the general fund of the state to the State Welfare Fund, but the sum so levied and transferred shall in no case exceed the total sum appropriated and chargeable to the State Public Welfare Fund by Section 1 of this Act."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House Concur in the Senate amendments to House Bill No. 198.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 198 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 100; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Jones	Ritter
Benno	Jury	Sand
Biberdorf	Just	Sandness
Bieloh	Kapaun	Saumur



Messrs.	Messrs.	Messrs.
Billigmeier	Knutson, LaMoure	Savre
Bjornson	Krank	Schauss
Black	Kraus	Schimke
Brown	Langford	Seibel
Byrne	Leum	Semerad
Caddell	Levin	Severson
Dalzell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	McIntee	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Niewoehner	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Nelson, Sargent	Trydahl
Gilberg	Norheim	Tuff
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Wendland
Greiser	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker
Holthusen		

Those voting in the negative were:

Messrs.	Messrs.
Akland	Blair

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Page
Brusseau	Knudson, Steele	Stray
Burgum	LaBerge	Urschel
Hagen	Olson, McLean	

So the bill passed and the title was agreed to. The emergency clause was declared carried.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to inform you that the House concurred in the Senate amendment to House Bill No. 198.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

THURSDAY, MARCH 4, 1937

1769

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1937

Mr. Speaker: I have the honor to return:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Which the Senate has amended as follows:

Following the title insert the following:

"Be It Enacted by the Legislative Assembly of the State of North Dakota:"

Strike out all of Section 4, and insert the following in lieu thereof:

"Section 4. Whenever during the biennium ending June 30, 1937, or the biennium ending June 30, 1939, the balance remaining in the State Public Welfare Fund shall prove insufficient to meet the requirements for relief, the State Board of Equalization of North Dakota is hereby authorized and directed to make a levy sufficient to make up such deficiency, and to make a transfer of the amount so levied from the General Fund of the State, to the State Welfare Fund; but the levy and transfer so authorized and directed to be made shall in no case exceed the total sum appropriated by Section 5 of this act, to the State Public Welfare Fund."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Beggs moved that the House concur in the Senate amendments to House Bill No. 199.

Which motion prevailed.

Mr. Beggs moved that the rules be suspended and that House Bill No. 199 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 16

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Olson, Sargent
Akland	Holm	Page
Anderson	Holmquist	Peterson, Bot'neau
Beasley	Holthusen	Peterson, Renville
Beaton	Hultstrand	Peterson, Richland
Beggs	Huseby	Pewe
Benno	Ireland	Rait
Biberdorf	Jensen	Ritter
Billigmeier	Just	Sand
Bjornson	Kapaun	Sandness
Black	Knudson, Steele	Saumur
Brown	Knutson, LaMoure	Schauss
Byrne	Krank	Schimke
Caddell	Kraus	Seibel
Dalzell	Langford	Semerad
Day	Leum	Severson
Dittmer	Levin	Shure, Cass
Dullea	Livingston	Shurr, Bottineau
Fitch	McInnes	Solberg
Frazier	McIntee	Sticka
Freitag	Magill	Symington
Frey	Morland	Thompson
Frosaker	Myers	Thoreson
Gessner	Niewoehner	Treffry
Gilberg	Nelson, Cass	Tweten
Godwin	Nelson, Sargent	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Greiser	Odegard	Wick
Hagen	Olson, Adams	Wolf
Haines	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Trydahl
Norheim		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Jury	Stray
Bieloh	LaBerge	Traynor
Brusseau	Morris	Tuff
Burgum	Olson, McLean	Twichell
Johnson	Savre	Williams
Jones		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Holmquist moved that the vote by which House Bill No. 199 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

THURSDAY, MARCH 4, 1937

1771

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 199.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has amended as follows:

In Section 3, lines 2 and 3 of the engrossed bill, strike out the following language: "next after expiration of one year."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Thoreson moved that the House concur in the Senate amendments to House Bill No. 292.

Which motion prevailed.

Mr. Thoreson moved that the rules be suspended and that House Bill No. 292 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Beasley	Hultstrand	Peterson, Renville
Beaton	Huseby	Peterson, Richland

Messrs.	Messrs.	Messrs.
Beggs	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Jury	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knutson, LaMoure	Sandness
Black	Krank	Saumur
Blair	Kraus	Savre
Brown	Langford	Schauss
Burgum	Leum	Schimke
Byrne	Levin	Seibel
Caddell	Livingston	Semerad
Dalzell	McInnes	Severson
Day	McIntee	Shure, Cass
Fitch	Magill	Shurr, Bottineau
Frazier	Morland	Solberg
Freitag	Morris	Sticka
Frey	Myers	Thompson
Frosaker	Niewoehner	Thoreson
Gessner	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Goodlaxon	Obach	Tweten
Graham	Odegard	Urschel
Greiser	Oglesby	Wendland
Hagen	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, Sargent	Wolf
Holm		

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jones	Stray
Anfinson	Just	Symington
Bieloh	Knudson, Steele	Tuff
Brusseau	LaBerge	Twichell
Dittmer	O'Brien	White
Dullea	Olson, McLean	Mr. Speaker
Johnson		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 292.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider the vote by which Senate Bill No. 202 was indefinitely postponed.

A roll call was demanded and granted.

## ROLL CALL

The question being on Mr. Godwin's motion, the roll was called and there were ayes, 58; nays, 42; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Bowman
Beggs	Huseby	Peterson, Bot'neau
Benno	Ireland	Pewe
Bjornson	Jones	Rait
Black	Jury	Sand
Burgum	Kapaun	Sandness
Byrne	Knutson, LaMoure	Schauss
Caddell	LaBerge	Schimke
Day	Leum	Seibel
Dullea	Levin	Semerad
Frazier	Livingston	Shurr, Bottineau
Freitag	McInnes	Solberg
Frey	McIntee	Stray
Godwin	Magill	Thompson
Goodlaxon	Morland	Thoreson
Graham	Morris	Treffry
Hagen	Myers	Urschel
Haines	Niewoehner	Wolf
Holm	Odegard	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Jensen	Ritter
Beasley	Johnson	Saumur
Beaton	Knudson, Steele	Savre
Biberdorf	Krank	Severson
Bieloh	Kraus	Shure, Cass
Billigmeier	Langford	Sticka
Blair	Nelson, Cass	Traynor
Brown	Nelson, Sargent	Trydahl
Dalzell	Norheim	Tweten
Dittmer	Obach	Twichell
Gessner	Oglesby	Wendland
Greiser	Olson, Adams	White
Hofstrand	Olson, Sargent	Wick
Holthusen	Page	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anderson	Gilberg	Peterson, Renville
Anfinson	Just	Peterson, Richland

Messrs.	Messrs.	Messrs.
Brusseau	O'Brien	Symington
Fitch	Olson, McLean	Tuff
Frosaker		

So the motion was lost.

Mr. Traynor: I am voting "no" on this motion to reconsider Senate Bill No. 202 because I find that the Sections which it proposes to repeal were part of the laws in the code of Compiled Laws of 1913 and have never been repealed. They date back to the revised Code of 1905, and from there back to the Code of 1889. They are old laws, they have never been repealed, our sheriffs and clerks have lived under them all this time, and until there is good proof showing that there is a necessity for repealing them now, I vote "no".

Mr. Twichell: I believe that the sheriffs and the clerks of the state should be held responsible for their own negligence. The legislature should not relieve them of responsibility for a negligent act.

#### FIFTH ORDER OF BUSINESS

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution and bills:

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

HOUSE CONCURRENT RESOLUTION "356". A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota providing for a Managers Plan of County Government in Certain Counties.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commis-

sioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,



House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

And find the same correctly enrolled.

CARL H. DITTMER.  
Chairman.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 304.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House return House Bill No. 304 to the Senate as requested.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies,

Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Godwin moved that the House be on the Eighth Order of Business and that at the completion of such business the House recess until 4:30.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

#### HOUSE CONCURRENT RESOLUTION 356.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane,

the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties: and Declaring an Emergency.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain

Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

And the Speaker signed the same in the presence of the House.

The House recessed.

#### AFTER RECESS

The House convened at 4:30 P. M., pursuant to recess, Speaker Dahl presiding.

Mr. Livingston moved that Messages from the Senate be announced through the loud speaker.

Which motion prevailed.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

#### HOUSE MEMORIAL RESOLUTION "N"

Was delivered to the Secretary of State for his approval at the hour of 2:10 o'clock P. M., March 4, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Also,

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Also,

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Also,

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Also,

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Also,

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Also,

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Also,

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71, Session Laws of 1933; Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 2:07 o'clock P. M., March 3, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Were delivered to the Governor for his approval at the hour of 4:27 o'clock P. M., March 3, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 9660 of the Compiled Laws of 1913 Defining a Lottery.

Also,

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

HOUSE CONCURRENT RESOLUTION "Q" and six copies.

Also,

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Also,

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and

Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Also,

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Also,

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Also,

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Also,



Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Power Upon Municipalities; and Declaring an Emergency.

Also,

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 3, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Aforesaid, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

Also,

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fix-

ing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the

State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

THURSDAY, MARCH 4, 1937

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Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

In accordance with the request of the House for their return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Which the House has amended on page 1550 House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Which the House has amended on page 1595 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk

House of Representatives,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Which the House has amended on page 1596 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### OFFICE OF THE GOVERNOR

Bismarck

Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Honorable Members:

I herewith return House Bill No. 96, An Act Making an Appropriation to Make up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the purpose of paying Insurance Tax to the Various Fire Departments of the State in Compliance with the provisions of Sections 3993 to 3998, inclusive, of the Compiled Laws of 1913, and declaring an emergency.

The bill is partially disapproved in that I have reduced the amount of the appropriation from \$3,000.00 to \$2,200.00,

the reason for the reduction being that the Commissioner of Insurance has stated to me the sum of \$2,200.00 would be sufficient.

Respectfully,

WILLIAM LANGER,  
Governor.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

REPORT OF COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Traynor moved that Senate Bill No. 222 be placed at the head of the calendar.

Which motion prevailed.

Mr. Kapaun asked unanimous consent of the House to amend Senate Bill No. 222 as follows:

On page 3, line 33 of the printed bill, insert the word "or" after the word "tenant" and after the word "cropper" strike out the comma and the words "or otherwise" and insert a period.

On page 10, line 75 of the printed bill after the word "given" insert a period and strike out the remainder of the paragraph.

On page 13, line 4 of the printed bill, strike out the words "appointed by the State Committee" and in lieu thereof substitute the word "elected."

On the same page in line 7, strike out the word "appointed" and substitute in lieu thereof the word "elected" and in line 9 strike out the word "appointment" and substitute in lieu thereof the word "election."

On page 16, lines 30 and 31, strike out the following, "and the measures listed in subsection C of this Act,".

On page 23, line 93 of the printed bill add the sentence "All ordinances and regulations adopted under the provisions of this Act shall apply only to land under written agreement between the District Supervisors and the land occupiers and owners."

On page 13, Section 6, in the title of the Section, strike out the word "appointment" and insert in lieu thereof the word "election."

Which consent was granted.

Mr. Kapaun moved that the rules be suspended and that Senate Bill No. 222 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Akland	Holmquist	Page
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beasley	Huseby	Peterson, Richland
Beaton	Ireland	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Bieloh	Jury	Sandness
Billigmeier	Just	Saumur
Bjornson	Kapaun	Savre
Black	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Schimke
Brown	Krank	Seibel
Burgum	Kraus	Semerad
Byrne	LaBerge	Severson
Caddell	Langford	Shure, Cass
Day	Leum	Shurr, Bottineau
Dittmer	Levin	Solberg
Dullea	Livingston	Sticka
Frazier	McInnes	Stray
Freitag	McIntee	Thompson
Frey	Magill	Thoreson
Frosaker	Morland	Traynor
Gessner	Morris	Treffry
Gilberg	Myers	Trydahl
Godwin	Niewoehner	Tweten
Goodlaxon	Nelson, Cass	Twichell
Graham	Norheim	Urschel
Greiser	Obach	White
Hagen	O'Brien	Williams
Haines	Odegard	Wolf
Hofstrand	Olson, Adams	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dalzell	Oglesby	Wendland
Fitch	Olson, Sargent	Wick
Jones	Symington	Mr. Speaker
Nelson, Sargent		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Olson, McLean	Tuff
Brusseau	Sand	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.



Mr. Hagen moved that the vote by which Senate Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Wick: I still can't see my way clear in voting for a dictatorship in the State of North Dakota.

#### SEVENTH ORDER OF BUSINESS

Mr. Bieloh moved that the rules be suspended and that Senate Bill No. 120 be placed at the head of the calendar.

Which motion prevailed.

Mr. Godwin asked the unanimous consent of the House to amend Senate Bill No. 120, which consent was denied.

Mr. Godwin moved that House rule No. 28 be suspended.

Which motion prevailed.

Mr. White moved that Senate Bill No. 120 be amended as follows:

On page 9, line 6 of Section 11, after the word "enterprise", strike out the comma, insert a period, and strike out the balance of the section.

On page 13, line 30, after the word "use" strike out the following language: "and this Act shall not apply to any farmer actually engaged in farming but who, as an accommodation for hire to another farmer, transports goods for such farmer to and from any market; and this Act shall not apply to the transportation of any property between one farm and another farm" and insert in lieu thereof the following: "and this Act shall not apply to any farmer actually engaged in farming who, as an accommodation for hire to another farmer, transports goods for such farmer to and from any market, and this Act shall not apply to the transportation of any property between one farm and another farm".

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 120 be placed back in its proper place on the calendar.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 116. . A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, 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, 51; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Haines	Nelson, Cass
Anfinson	Holm	O'Brien
Black	Huseby	Olson, Bowman
Burgum	Ireland	Peterson, Renville
Byrne	Jury	Peterson, Richland
Caddell	Just	Rait
Day	Kapaun	Ritter
Dullea	Krank	Sandness
Frey	LaBerge	Saumur
Gessner	Langford	Seibel
Gilberg	McIntee	Sticka
Godwin	Magill	Stray
Goodlaxon	Morris	Thompson
Graham	Myers	Thoreson
Hagen	Niewoehner	Treffry

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Olson, Sargent
Beasley	Jensen	Page
Beaton	Jones	Pewe
Beggs	Knudson, Steele	Savre
Benno	Knutson, LaMoure	Schauss
Bieloh	Kraus	Semerad
Billigmeier	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Livingston	Symington
Dalzell	McInnes	Trydahl
Dittmer	Morland	Tweten
Fitch	Nelson, Sargent	Urschel
Frazier	Norheim	White
Freitag	Obach	Wick
Greiser	Odegard	Williams
Hofstrand	Oglesby	Wolf
Holmquist	Olson, Adams	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Solberg
Biberdorf	Olson, McLean	Traynor
Bjornson	Peterson, Bot'neau	Tuff
Brusseau	Sand	Twichell
Frosaker	Schimke	Wendland
Hultstrand	Shurr, Bottineau	

So the bill was lost.

Mr. Frazier: I vote "no" for the purpose of reconsideration.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Godwin moved that the House reconsider the action by which Senate Bill No. 253 was declared lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

In accordance with the request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 253 be placed on the calendar.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation,

Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the second time.

Mr. Fitch 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, 66; nays, 38; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Olson, Sargent
Akland	Haines	Peterson, Bot'neau
Beaton	Hofstrand	Peterson, Renville
Beggs	Holthusen	Peterson, Richland
Benno	Johnson	Pewe
Bieloh	Jones	Rait
Billigmeier	Jury	Ritter
Black	Just	Sand
Brown	Kapaun	Saumur
Byrne	Krank	Schauss
Day	Kraus	Schimke
Dullea	LaBerge	Seibel
Fitch	Levin	Severson
Frazier	Livingston	Stray
Freitag	McInnes	Traynor
Frey	McIntee	Trydahl
Frosaker	Magill	Tweten
Gessner	Morris	Twichell
Gilberg	Niewoehner	Urschel
Godwin	Nelson, Cass	Wick
Goodlaxon	O'Brien	Wolf
Greiser	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Jensen	Sandness
Anfinson	Knudson, Steele	Savre
Beasley	Knutson, LaMoure	Semerad
Blair	Langford	Shure, Cass
Burgum	Leum	Solberg
Caddell	Morland	Sticka
Dalzell	Myers	Symington
Dittmer	Nelson, Sargent	Thompson
Holm	Norheim	Treffry
Holmquist	Obach	Wendland
Hultstrand	Odegard	White
Huseby	Olson, Adams	Williams
Ireland	Page	

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Biberdorf	Graham	Shurr, Bottineau
Bjornson	Oglesby	Thoreson
Brusseau	Olson, McLean	Tuff

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Mr. Fitch moved that the vote by which Senate Bill No. 151 was passed be reconsidered and the motion to reconsider be laid on the table.

A division was called for and the motion prevailed.

Mr. Frazier: I voted "no" on every liquor measure, all kinds, that have been before us, because I detest the sight of it, the use of it, or the effect that it has on the people who do use it, but I am going to vote for this bill because I know I won't ever have money enough to ride on a train, and I won't have to see the people.

Mr. Caddell: I vote "no" because I differ from the opinion of the gentleman from Cass who thinks the train is a proper place to drink. I think the old time livery barn was the only really proper place to drink whiskey.

## OFFICE OF THE GOVERNOR

Bismarck

March 4, 1937.

Members of the House of Representatives,

Twenty-fifth Legislative Assembly:

Honorable Members:

I herewith return HB 77, Making an Appropriation to the Secretary of State for the Payment of the cost of printing the 1933-1934 Public Documents, and Declaring an Emergency, without my approval, for the following reasons:

The bill was allowed by the Printing Commission on April 17th, 1936, and not paid for lack of funds, and the order for printing, ostensibly given in the year 1933 by former State Printer, George E. Munger, was not approved for payment until October 24th, 1936.

Neither the Twenty-Third nor the Twenty-Fourth Legislative Assemblies appropriated any money with which to pay the same. At the present time, according to State Treasurer John Gray, the State is without any ready cash. Only this morning the State Auditor, Berta E. Baker, borrowed money with the advice and consent of the State Auditing Board, so there would be sufficient money on hand to pay the members of the legislature their per diem and traveling expenses in order that they may return home.

Because of the financial condition of the Treasury I am hereby returning this bill unsigned.

Respectfully,

WILLIAM LANGER,  
Governor.

Mr. Godwin moved that the House recess until 8:30 P. M., which motion prevailed and the House recessed.

AFTER RECESS

The House convened at 8:30 P. M., pursuant to recess, Speaker Dahl presiding.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return herewith the following enrolled copy of:

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Very respectfully,

THOMAS McDONALD,  
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no 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, 49; nays, 47; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Peterson, Renville
Beggs	Kapaun	Peterson, Richland
Benno	Knudson, Steele	Sandness
Bieloh	Krank	Saumur
Brown	Kraus	Schauss
Burgum	LaBerge	Severson
Dullea	Langford	Shure, Cass
Fitch	Leum	Solberg
Frosaker	Livingston	Sticka
Gessner	Magill	Stray
Gilberg	Morland	Symington
Graham	Norheim	Thompson
Haines	Obach	Thoreson
Hofstrand	Oglesby	Traynor
Holthusen	Olson, Bowman	Twichell
Huseby	Olson, Sargent	Williams
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Rait
Anderson	Jensen	Ritter

Messrs.	Messrs.	Messrs.
Anfinson	Just	Sand
Beaton	Knutson, LaMoure	Savre
Biberdorf	Levin	Schimke
Billigmeier	McIntee	Seibel
Black	Morris	Semerad
Blair	Myers	Shurr, Bottineau
Caddell	Niewoehner	Treffry
Dalzell	Nelson, Cass	Trydahl
Day	O'Brien	Tweten
Dittmer	Odegard	Urschel
Frazier	Olson, McLean	White
Freitag	Page	Wolf
Frey	Peterson, Bot'neau	Mr. Speaker
Godwin	Pewe	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Hagen	Nelson, Sargent
Bjornson	Holm	Olson, Adams
Brusseau	Hultstrand	Tuff
Byrne	Johnson	Wendland
Goodlaxon	Jones	Wick
Greiser	McInnes	

So the bill was lost.

Mr. Knutson of LaMoure moved that the vote by which Senate Bill No. 185 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

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, 94; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Jury	Peterson, Renville
Anderson	Just	Peterson, Richland
Anfinson	Kapaun	Pewe
Beasley	Knudson, Steele	Rait
Beaton	Knutson, LaMoure	Ritter
Beggs	Krank	Sand
Benno	Kraus	Sandness
Biberdorf	LaBerge	Saumur
Billigmeier	Langford	Savre
Bjornson	Leum	Schauss
Black	Levin	Semerad
Burgum	Livingston	Severson

Messrs.	Messrs.	Messrs.
Dalzell	McInnes	Shure, Cass
Day	Magill	Shurr, Bottineau
Dullea	Morland	Solberg
Fitch	Morris	Sticka
Freitag	Myers	Stray
Frey	Nelson, Cass	Symington
Frosaker	Nelson, Sargent	Thompson
Gessner	Niewoehner	Thoreson
Gilberg	Norheim	Traynor
Godwin	Obach	Treffry
Goodlaxon	O'Brien	Trydahl
Graham	Odegard	Tuff
Hagen	Oglesby	Tweten
Haines	Olson, Adams	Twichell
Holm	Olson, Bowman	Urschel
Holmquist	Olson, McLean	White
Holthusen	Olson, Sargent	Williams
Hultstrand	Page	Wolf
Huseby	Peterson, Bot'neau	Mr. Speaker
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Dittmer	McIntee
Bieloh	Frazier	Schimke
Blair	Hofstrand	Seibel
Brown	Jensen	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Greiser	Jones
Byrne	Johnson	Wendland
Caddell		

So the bill passed and the title was agreed to.

Mr. Page 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.

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation 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, 93; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, Bowman
Anderson	Holmquist	Olson, McLean



Messrs.	Messrs.	Messrs.
Anfinson	Holthusen	Olson, Sargent
Beasley	Hultstrand	Page
Beaton	Huseby	Peterson, Bot'neau
Beggs	Ireland	Peterson, Renville
Benno	Jensen	Peterson, Richland
Biberdorf	Jury	Rait
Billigmeier	Just	Ritter
Bjornson	Kapaun	Sand
Black	Knudson, Steele	Sandness
Brown	Knutson, LaMoure	Saumur
Burgum	Krank	Savre
Byrne	LaBerge	Schauss
Caddell	Langford	Severson
Dalzell	Leum	Shure, Cass
Day	Levin	Shurr, Bottineau
Dittmer	Livingston	Solberg
Dullea	Magill	Sticka
Frazier	McInnes	Stray
Freitag	McIntee	Symington
Frey	Morland	Thompson
Frosaker	Morris	Thoreson
Gessner	Myers	Traynor
Gilberg	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Niewoehner	Twichell
Graham	Obach	Urschel
Hagen	O'Brien	White
Haines	Odegard	Wolf
Hofstrand	Olson, Adams	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Norheim	Semerad
Bieloh	Oglesby	Treffry
Blair	Pewe	Tuff
Fitch	Schimke	Wick
Kraus	Seibel	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Johnson	Wendland
Greiser	Jones	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Dalzell moved that the vote by which Senate Bill No. 118 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Sub-

station Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, 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, 97; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Bowman
Akland	Holthusen	Olson, McLean
Anderson	Hultstrand	Olson, Sargent
Anfinson	Huseby	Page
Beasley	Ireland	Peterson, Bot'neau
Beaton	Jury	Peterson, Renville
Beggs	Just	Peterson, Richland
Benno	Kapaun	Rait
Biberdorf	Knudson, Steele	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Langford	Semerad
Brown	Leum	Severson
Burgum	Levin	Shure, Cass
Caddell	Livingston	Shurr, Bottineau
Dalzell	Magill	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Morland	Symington
Frazier	Morris	Thompson
Freitag	Myers	Thoreson
Frey	Niewoehner	Traynor
Frosaker	Nelson, Cass	Treffry
Gessner	Nelson, Sargent	Trydahl
Godwin	Norheim	Tweten
Goodlaxon	Obach	Twichell
Graham	O'Brien	Urschel
Hagen	Odegard	White
Haines	Oglesby	Wick
Hofstrand	Olson, Adams	Wolf
Holm		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fitch	Ritter	Williams
Pewe	Savre	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jensen	Schauss
Byrne	Johnson	Tuff
Gilberg	Jones	Wendland
Greiser		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Ireland moved that the vote by which Senate Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Was read the second time.

Mr. Trydahl asked the unanimous consent of the House to amend Senate Bill No. 153 by correcting the spelling of the words "beta eucaine" in line 2 of subsection 3 of subsection "D" of Section 3, which consent was granted.

Mr. Trydahl moved that the rules be suspended and that Senate Bill No. 153 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, the roll was called and there were ayes, 102; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent
Anderson	Holthusen	Page
Anfinson	Hultstrand	Peterson, Bot'neau
Beasley	Huseby	Peterson, Renville
Beaton	Ireland	Peterson, Richland
Beggs	Jensen	Pewe
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Black	Knutson, LaMoure	Savre
Blair	Krank	Schauss
Brown	Kraus	Schimke
Burgum	LaBerge	Seibel
Byrne	Langford	Semerad
Caddell	Leum	Severson
Dalzell	Levin	Shure, Cass
Day	Livingston	Shurr, Bottineau
Dittmer	McInnes	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Stray

Messrs.	Messrs.	Messrs.
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
McIntee	Rait	Williams

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ejornson	Johnson	Wendland
Brusseau	Jones	Wolf
Greiser	Tuff	

So the bill passed and the title was agreed to.

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

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, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Holthusen	Page
Anderson	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Jury	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Black	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Schimke
Burgum	Langford	Seibel
Byrne	Leum	Semerad

Messrs.	Messrs.	Messrs.
Caddell	Levin	Severson
Dalzell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	McIntee	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Stray
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Johnson	Wendland
Brusseau	Jones	Wolf
Greiser	Tuff	

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, 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, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Olson, Sargent
Akland	Holthusen	Page
Anderson	Hultstrand	Peterson, Bot'neau
Anfinson	Huseby	Peterson, Renville
Beasley	Ireland	Peterson, Richland
Beaton	Jensen	Pewe
Beggs	Jury	Rait
Benno	Just	Ritter
Biberdorf	Kapaun	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur

Messrs.	Messrs.	Messrs.
Black	Krank	Savre
Blair	Kraus	Schauss
Brown	LaBerge	Schimke
Burgum	Langford	Seibel
Byrne	Leum	Semerad
Caddell	Levin	Severson
Dalzell	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	McIntee	Solberg
Dullea	Magill	Sticka
Fitch	Morland	Stray
Frazier	Morris	Symington
Freitag	Myers	Thompson
Frey	Niewoehner	Thoreson
Frosaker	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tweten
Goodlaxon	O'Brien	Twichell
Graham	Odegard	Urschel
Hagen	Oglesby	White
Haines	Olson, Adams	Wick
Hofstrand	Olson, Bowman	Williams
Holm	Olson, McLean	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Johnson	Wendland
Brusseau	Jones	Wolf
Greiser	Tuff	

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Schauss moved that the vote by which Senate Bill No. 226 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## FIFTH ORDER OF BUSINESS

### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

HOUSE RESOLUTION "O". A Resolution that we request the President of the United States to certify to the entire territory comprising the State of North Dakota as a distressed emergency area to the Governor of the Farm Credit Administration under the provisions contained in Subdivision (c) of Section 2 of H. R. 1545.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, 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, 80; nays, 27; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Obach
Akland	Hagen	O'Brien
Anderson	Haines	Odegard
Anfinson	Holm	Olson, Bowman
Beasley	Holmquist	Olson, McLean
Beaton	Holthusen	Olson, Sargent
Beggs	Hultstrand	Peterson, Bot'neau
Benno	Huseby	Peterson, Renville
Biberdorf	Ireland	Peterson, Richland
Billigmeier	Just	Pewe
Bjornson	Kapaun	Sand
Black	Knudson, Steele	Sandness
Brown	Knutson, LaMoure	Saumur
Burgum	Krank	Savre
Byrne	Kraus	Schimke
Caddell	LaBerge	Seibel
Day	Langford	Shure, Cass
Dullea	Leum	Shurr, Bottineau
Fitch	Levin	Solberg
Freitag	Livingston	Sticka
Frey	McInnes	Stray
Frosaker	Magill	Thompson
Gessner	Morland	Treffry
Gilberg	Morris	Urschel
Godwin	Myers	White
Goodlaxon	Niewoehner	Wolf
Graham	Nelson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Norheim	Thoreson
Blair	Oglesby	Traynor
Dalzell	Olson, Adams	Trydahl
Dittmer	Page	Tweten
Frazier	Rait	Twichell
Hofstrand	Ritter	Wendland
Jensen	Semerad	Wick
Jury	Severson	Williams
McIntee	Symington	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Schauss
Johnson	Nelson, Cass	Tuff

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Petersen of Renville 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.



Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

Mr. Frazier moved the previous question, which motion was lost.

Mr. Ritter asked unanimous consent to amend Senate Bill No. 170 by striking out the figures "\$1.00" in line 4 of Section 4, and inserting in lieu thereof the figures "50c", which consent was denied.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 65; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Graham	Olson, Sargent
Beaton	Holm	Peterson, Renville
Beggs	Kapaun	Sandness
Benno	Knudson, Steele	Saumur
Bieloh	Knutson, LaMoure	Savre
Burgum	Kraus	Schimke
Byrne	LaBerge	Severson
Dalzell	Langford	Symington
Day	McInnes	Thompson
Dullea	Magill	Thoreson
Frey	Morris	Trydahl
Frosaker	Nelson, Cass	Twichell
Gessner	Nelson, Sargent	White
Gilberg	Oglesby	Wick

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Pewe
Anderson	Jensen	Rait
Anfinson	Jury	Ritter
Biberdorf	Just	Sand
Billigmeier	Krank	Schauss

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bjornson	Leum,	Seibel
Black	Levin	Semerad
Blair	Livingston	Shure, Cass
Brown	McIntee	Shurr, Bottineau
Caddell	Morland	Solberg
Dittmer	Myers	Sticka
Fitch	Niewoehner	Stray
Frazier	Norheim	Traynor
Freitag	Obach	Treffry
Goodlaxon	O'Brien	Tuff
Greiser	Odegard	Tweten
Hagen	Olson, Adams	Urschel
Haines	Olson, Bowman	Wendland
Hofstrand	Olson, McLean	Williams
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker
Hultstrand	Peterson, Richland	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Godwin	Johnson
Brusseau	Huseby	Jones

So the bill lost.

Mr. Page: I vote "no" for the purpose of reconsideration.

Mr. Adam: I am between two fires. In my county on the north side the people don't want the dog tax law, and here my friend from the center of the county wants the law. My personal conviction is against the dog tax law. I vote "no".

Mr. Caddell: I vote "no" on this bill because I believe it is absolutely wrong to put a tax on the necessities of life.

Mr. Freitag: We have a race of people in our county more numerous than in Sioux County. Therefore I vote "no".

Mr. Hagen: A survey of McKenzie County in 1935 disclosed losses from coyotes and dogs of \$7,341.63, and I believe this law would be entirely ineffectual in taking care of that situation as long as the funds remain in each respective county. Therefore I vote "no".

Mr. Magill: I think we have come to a point in the history of this state where we have got to give a little consideration to the men that are raising the necessaries of life—sheep and livestock. For that reason I vote "aye".

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota;

Making an Appropriation; Creating a Revolving Loan Fund;  
and Declaring an Emergency.

Was read the second time.

Mr. Thompson moved the previous question.

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, 39; nays, 68; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benno	Knudson, Steele	Page
Burgum	Krank	Peterson, Renville
Fitch	Kraus	Sand
Frazier	LaBerge	Sandness
Frosaker	Langford	Saumur
Gessner	Leum	Savre
Gilberg	McInnes	Schauss
Godwin	McIntee	Shure, Cass
Goodlaxon	Magill	Shurr, Bottineau
Holthusen	Morris	Symington
Johnson	Nelson, Cass	Traynor
Jury	Nelson, Sargent	Trydahl
Kapaun	Olson, Sargent	Twichell

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Pewe
Akland	Hofstrand	Rait
Anderson	Holm	Ritter
Anfinson	Holmquist	Schimke
Beaton	Hultstrand	Seibel
Beggs	Huseby	Semerad
Biberdorf	Ireland	Severson
Bieloh	Jensen	Solberg
Billigmeier	Knutson, LaMoure	Sticka
Bjornson	Levin	Stray
Black	Livingston	Thompson
Blair	Morland	Thoreson
Brown	Myers	Treffry
Byrne	Niewoehner	Tuff
Caddell	Obach	Tweten
Dalzell	O'Brien	Urschel
Day	Odegard	Wendland
Dittmer	Oglesby	White
Freitag	Olson, Adams	Wick
Frey	Olson, Bowman	Williams

Messrs.	Messrs.	Messrs.
Graham	Olson, McLean	Wolf
Greiser	Peterson, Bot'neau	Mr. Speaker
Hagen	Peterson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Dullea	Just
Brusseau	Jones	Norheim

So the bill was lost.

Mr. Freitag moved that the vote by which Senate Bill No. 143 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Beggs: The gentleman from Cass stated last night that the most important part of this bill was making the contract with the Lawyers Cooperative Publishing Company. He stated that was more important than the compiling of the laws. I don't like the idea of coming down here and passing laws for the specific purpose of making a contract with any firm where that is more important than the thing the firm is going to do. Therefore, Mr. Speaker, I vote "no".

Mr. Caddell: I vote "no", even though I believe maybe we need these books at this time. I believe it is going to cost the taxpayers a lot of money, and these old sobbusters can't afford to pay it. Therefore I vote "no".

Mr. Frazier: I vote "aye" on this bill because I believe it will save the old sobbusters many thousands of dollars in litigation.

Mr. Ireland: I vote "no" on this because I know the old sobbusters haven't got any thousands of dollars to be saved.

Mr. Rait: Maybe the books are needed for the lawyers, but who pays for them? How many farmers need a set of new machinery, and who pays for that? I vote "no".

Mr. Williams: I think the farmers of North Dakota need two carloads of seed grain instead of two carloads of law books. It seems funny to me. We work like farmers, we look like farmers, and when we come up here we vote like Rockefellers. I vote "no".

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

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, 84; nays, 12; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Peterson, Bot'neau
Anderson	Jury	Pewe
Anfinson	Just	Rait
Beaton	Knudson, Steele	Ritter
Beggs	Krank	Sand
Benno	Kraus	Sandness
Biberdorf	LaBerge	Saumur
Black	Langford	Savre
Brown	Leum	Schauss
Burgum	Levin	Schimke
Byrne	Livingston	Severson
Dalzell	Magill	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	Morland	Solberg
Fitch	Morris	Sticka
Frosaker	Myers	Stray
Godwin	Nelson, Cass	Symington
Goodlaxon	Nelson, Sargent	Thompson
Graham	Niewoehner	Thoreson
Greiser	Norheim	Treffry
Hagen	Obach	Trydahl
Haines	O'Brien	Tuff
Hofstrand	Odegard	Tweten
Holm	Oglesby	Twichell
Holthusen	Olson, Adams	Urschel
Huseby	Olson, Bowman	Wendland
Ireland	Olson, Sargent	Williams
Jensen	Page	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Frazier	Knutson, LaMoure
Bieloh	Frey	McIntee
Billigmeier	Holmquist	Semerad
Dullea	Hultstrand	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Gessner	Peterson, Richland
Bjornson	Gilberg	Seibel
Blair	Jones	Traynor
Brusseau	Kapaun	White
Caddell	Olson, McLean	Mr. Speaker
Freitag	Peterson, Renville	

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which Senate Bill

No. 42 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Fitch to the chair.

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

Mr. Twichell moved the previous question, 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, 87; nays, 3; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Richland
Akland	Ireland	Pewe
Anderson	Johnson	Rait
Anfinson	Jury	Sand
Beasley	Just	Sandness
Beaton	Knutson, LaMoure	Saumur
Benno	Krank	Savre
Billigmeier	Kraus	Schauss
Black	Langford	Schimke
Brown	Levin	Seibel
Burgum	Livingston	Severson
Caddell	Magill	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Day	Morland	Solberg
Dittmer	Morris	Sticka
Dullea	Myers	Symington
Fitch	Nelson, Cass	Thompson
Frey	Niewoehner	Thoreson
Godwin	Norheim	Traynor
Goodlaxon	Obach	Treffry
Graham	O'Brien	Trydahl
Greiser	Odegard	Tuff
Hagen	Oglesby	Tweten
Haines	Olson, Adams	Twichell
Hofstrand	Olson, Bowman	Urschel
Holm	Olson, McLean	Wendland
Holmquist	Olson, Sargent	Wick
Holthusen	Page	Williams
Hultstrand	Peterson, Bot'neau	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Frazier	McIntee	Semerad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	Frosaker	Leum
Biberdorf	Gessner	Nelson, Sargent
Bieloh	Gilberg	Peterson, Renville
Bjornson	Jensen	Ritter
Blair	Jones	Stray
Brusseau	Kapaun	White
Byrne	Knudson, Steele	Mr. Speaker
Freitag	LaBerge	

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Which motion prevailed.

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies 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, 89; nays, 6; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Pewe
Anfinson	Jensen	Rait
Beasley	Johnson	Sand
Benno	Just	Sandness
Black	Kapaun	Saumur
Blair	Knudson, Steele	Savre
Brown	Knutson, LaMoure	Schauss
Burgum	Krank	Schimke
Byrne	Kraus	Seibel
Caddell	Leum	Semerad
Dalzell	Levin	Severson
Day	Livingston	Shure, Cass
Dullea	McInnes	Shurr, Bottineau
Fitch	McIntee	Sticka
Frazier	Magill	Symington
Freitag	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Traynor
Gessner	Niewoehner	Treffry
Gilberg	Nelson, Cass	Trydahl
Godwin	Norheim	Tweten

Messrs.	Messrs.	Messrs.
Goodlaxon	Obach	Twichell
Graham	O'Brien	Urschel
Greiser	Odegard	Wendland
Hagen	Olson, Adams	White
Haines	Olson, Bowman	Wick
Holm	Olson, McLean	Williams
Holmquist	Olson, Sargent	Wolf
Holthusen	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beggs	Ireland	Solberg
Billigmeier	Oglesby	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Dittmer	Nelson, Sargent
Beaton	Hofstrand	Peterson, Renville
Biberdorf	Jones	Peterson, Richland
Bieloh	Jury	Ritter
Bjornson	LaBerge	Stray
Brusseau	Langford	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Morris moved that the vote by which Senate Bill No. 110 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

Was read the second time.

Mr. Traynor 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, 53; nays, 53; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Huseby	Olson, Bowman
Benno	Johnson	Olson, Sargent
Black	Just	Page
Blair	Kapaun	Peterson, Renville
Brown	Knudson, Steele	Peterson, Richland
Burgum	Kraus	Sandness
Dalzell	Langford	Saumur
Day	Leum	Severson



Dullea	McInnes	Shure, Cass
Fitch	Magill	Solberg
Frey	Morland	Symington
Frosaker	Morris	Thompson
Gessner	Niewoehner	Traynor
Gilberg	Nelson, Cass	Trydahl
Goodlaxon	Nelson, Sargent	Twichell
Graham	Norheim	Wendland
Holm	O'Brien	Wick
Holthusen	Oglesby	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Savre
Akland	Holmquist	Schauss
Anderson	Hultstrand	Schimke
Anfinson	Jensen	Seibel
Beaton	Knutson, LaMoure	Semerad
Beggs	Krank	Shurr, Bottineau
Biberdorf	Levin	Sticka
Bieloh	Livingston	Stray
Billigmeier	McIntee	Thoreson
Bjornson	Myers	Treffry
Byrne	Obach	Tuff
Caddell	Odegard	Tweten
Frazier	Olson, McLean	Urschel
Freitag	Peterson, Bot'neau	White
Godwin	Pewe	Williams
Greiser	Rait	Wolf
Hagen	Ritter	Mr. Speaker
Haines	Sand	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	LaBerge
Dittmer	Jury	Olson, Adams
Ireland		

So the bill lost.

Mr. Schauss moved that the vote by which Senate Bill No. 47 was lost be reconsidered and the motion to reconsider be laid on the table.

A division was called for and the motion was lost.

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, 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, 83; nays, 19; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	O'Brien
Anderson	Hofstrand	Odegard
Anfinson	Holm	Olson, McLean
Beasley	Holmquist	Olson, Sargent
Beaton	Holthusen	Page
Beggs	Hultstrand	Peterson, Bot'neau
Benno	Huseby	Peterson, Renville
Biberdorf	Jensen	Peterson, Richland
Billigmeier	Johnson	Rait
Black	Jury	Ritter
Brown	Just	Sand
Burgum	Kapaun	Sandness
Byrne	Knudson, Steele	Saumur
Caddell	Krank	Schauss
Dalzell	Kraus	Schimke
Day	Langford	Shure, Cass
Dullea	Leum	Sticka
Fitch	Levin	Stray
Frazier	Livingston	Symington
Freitag	McIntee	Thompson
Frey	Magill	Traynor
Frosaker	Morland	Trydahl
Gessner	Morris	Twichell
Gilberg	Myers	Urschel
Godwin	Nelson, Cass	White
Goodlaxon	Nelson, Sargent	Wolf
Graham	Niewoehner	Mr. Speaker
Hagen	Obach	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Pewe	Thoreson
Bieloh	Savre	Treffry
Blair	Seibel	Tuff
Greiser	Semerad	Tweten
Knutson, LaMoure	Severson	Wick
Norheim	Solberg	Williams
Oglesby		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ejornson	Jones	Olson, Bowman
Brusseau	LaBerge	Shurr, Bottineau
Dittmer	McInnes	Wendland
Ireland	Olson, Adams	

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. White 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. 99. A Bill for an Act Appropriating Money

for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of 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, 75; nays, 26; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Graham	Niewoehner
Anderson	Hagen	Obach
Anfinson	Haines	O'Brien
Beasley	Hofstrand	Odegard
Beaton	Holm	Olson, McLean
Beggs	Holthusen	Olson, Sargent
Benno	Hultstrand	Page
Biberdorf	Huseby	Peterson, Bot'neau
Billigmeier	Just	Peterson, Renville
Black	Kapaun	Peterson, Richland
Burgum	Knudson, Steele	Rait
Byrne	Knutson, LaMoure	Ritter
Caddell	Krank	Sand
Dalzell	Kraus	Sandness
Day	Langford	Saumur
Dullea	Leum	Schauss
Fitch	Levin	Sticka
Frazier	Livingston	Stray
Freitag	McInnes	Symington
Frey	Magill	Thompson
Frosaker	Morland	Traynor
Gessner	Morris	Trydahl
Gilberg	Myers	Tuff
Godwin	Nelson, Cass	Tweten
Goodlaxon	Nelson, Sargent	Urschel

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Norheim	Solberg
Bieloh	Oglesby	Thoreson
Blair	Pewe	Treffry
Brown	Savre	Twichell
Greiser	Schimke	Wick
Holmquist	Seibel	Williams
Jensen	Semerad	Wolf
Johnson	Severson	Mr. Speaker
Jury	Shure, Cass	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Jones	Olson, Bowman
Brusseau	LaBerge	Shurr, Bottineau
Dittmer	McIntee	Wendland
Ireland	Olson, Adams	White

So the bill passed and the title was agreed to.

Mr. Saumur moved that the vote by which Senate Bill No. 99 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Williams: I vote "no" on this bill because we have turned the coal and the gas and the oil over to private individuals, now they want us to appropriate money to help them farm this.

Mr. Johnson: I voted "no" on Senate Bill No. 99 due to the fact that I believe that is covered in House Bill No. 24. There is an appropriation there of \$21,822.00.

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

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, 89; nays, 12; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Rait
Beasley	Huseby	Ritter
Beaton	Kapaun	Sand
Beggs	Knudson, Steele	Sandness
Benno	Knutson, LaMoure	Saumur
Biberdorf	Krank	Savre
Billigmeier	Kraus	Schauss
Black	Langford	Schimke
Brown	Leum	Seibel
Burgum	Levin	Shure, Cass
Byrne	Livingston	Solberg
Caddell	Magill	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Trydahl
Frosaker	Nelson, Sargent	Tweten
Gessner	Niewoehner	Twichell
Gilberg	Norheim	Urschel
Goodlaxon	Obach	White
Graham	O'Brien	Wick
Greiser	Odegard	Williams
Hagen	Oglesby	Wolf
Haines	Olson, McLean	Mr. Speaker
Hofstrand	Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Jensen	Semerad
Blair	Johnson	Severson
Dittmer	Jury	Treffry
Dullea	Pewe	Tuff

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Jones	Olson, Bowman
Brusseau	Just	Olson, Sargent
Godwin	LaBerge	Shurr, Bottineau
Ireland	Olson, Adams	Wendland

So the bill passed and the title was agreed to.

Mr. Wolf moved that the vote by which Senate Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

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, 56; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Goodlaxon	O'Brien
Anfinson	Graham	Odegard
Beaton	Hagen	Page
Beggs	Haines	Peterson, Bot'neau
Benno	Holthusen	Peterson, Renville
Biberdorf	Huseby	Peterson, Richland
Billigmeier	Kapaun	Sand
Black	Knudson, Steele	Sandness
Burgum	Langford	Saumur
Byrne	Leum	Schimke
Day	McInnes	Stray
Dullea	Magill	Thompson
Fitch	Morland	Trydahl
Frey	Morris	Urschel
Frosaker	Nelson, Cass	White
Gessner	Nelson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Schauss
Akland	Jury	Seibel

Messrs.	Messrs.	Messrs.
Beasley	Knutson, LaMoure	Semerad
Bieloh	Krank	Severson
Blair	Kraus	Shure, Cass
Brown	Levin	Solberg
Caddell	Livingston	Sticka
Dalzell	McIntee	Symington
Dittmer	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Norheim	Treffry
Gilberg	Obach	Tuff
Godwin	Oglesby	Tweten
Greiser	Olson, McLean	Twichell
Hofstrand	Olson, Sargent	Wick
Holm	Pewe	Williams
Holmquist	Rait	Wolf
Hultstrand	Ritter	Mr. Speaker
Jensen	Savre	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Just	Olson, Bowman
Brusseau	LaBerge	Shurr, Bottineau
Ireland	Olson, Adams	Wendland
Jones		

So the bill was lost.

Mr. Symington: I vote "no" for the purpose of reconsideration.

Mr. Twichell: I vote "no" on this for this reason—that it looks to me like an effort to perpetuate the Planning Board. We have had them for two years and now they want \$25,000.00 for planning for the next two years. I vote "no".

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that Senate Bill No. 120 be moved to the foot of the calendar.

Which motion prevailed.

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

Mr. Traynor moved that action on Senate Bill No. 255 be deferred until tomorrow.

Which motion prevailed.

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Was read the second time.

Mr. Godwin moved that action on Senate Bill No. 80 be deferred until tomorrow.

Which motion prevailed.

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out 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, 76, nays, 22; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holm	Norheim
Anfinson	Holthusen	Obach
Beasley	Hultstrand	O'Brien
Beaton	Huseby	Olson, Sargent
Beggs	Johnson	Page
Black	Jury	Peterson, Bot'neau
Blair	Just	Peterson, Richland
Brown	Kapaun	Rait
Burgum	Knudson, Steele	Ritter
Byrne	Knutson, LaMoure	Sand
Caddell	Krank	Sandness
Dalzell	Kraus	Saumur
Day	Langford	Savre
Dittmer	Leum	Schauss
Dullea	Levin	Schimke
Fitch	Livingston	Solberg
Frazier	McInnes	Sticka
Frey	McIntee	Stray
Gessner	Magill	Thompson
Gilberg	Morland	Traynor
Godwin	Morris	Treffry
Goodlaxon	Myers	Trydahl
Graham	Niewoehner	Tuff
Hagen	Nelson, Cass	Twichell
Haines	Nelson, Sargent	White
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Oglesby	Symington
Akland	Olson, McLean	Thoreson
Biberdorf	Pewe	Tweten
Bieloh	Seibel	Wick
Billigmeier	Semerad	Williams
Freitag	Severson	Wolf
Holmquist	Shure, Cass	Mr. Speaker
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Ireland	Olson, Bowman
Bjornson	Jones	Peterson, Renville
Brusseau	LaBerge	Shurr, Bottineau
Frosaker	Odegard	Urschel
Greiser	Olson, Adams	Wendland

So the bill passed and the title was agreed to.

Mr. Schauss moved that the vote by which Senate Bill No. 124 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 Promote the Public Welfare by Providing Aid to the Needy Blind.

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, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holthusen	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Johnson	Rait
Beaton	Jury	Ritter
Beggs	Just	Sand
Biberdorf	Kapaun	Sandness
Bieloh	Knudson, Steele	Saumur
Billigmeier	Knutson, LaMoure	Savre
Black	Krank	Schimke
Blair	Kraus	Seibel
Brown	Langford	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Solberg
Dalzell	McInnes	Sticka
Day	McIntee	Stray



Messrs.	Messrs.	Messrs.
Dittmer	Magill	Symington
Dullea	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Freitag	Niewoehner	Treffry
Frey	Nelson, Cass	Trydahl
Gilberg	Nelson, Sargent	Tuff
Godwin	Norheim	Tweten
Goodlaxon	Obach	Urschel
Graham	O'Brien	White
Greiser	Oglesby	Wick
Hagen	Olson, McLean	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Ireland	Olson, Bowman
Bjornson	Jensen	Schauss
Brusseau	Jones	Shurr, Bottineau
Frosaker	LaBerge	Twichell
Gessner	Odegard	Wendland
Holmquist	Olson, Adams	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Kraus 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 prevailed.

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Was read the second time.

The Speaker resumed the chair.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Renville
Akland	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Jury	Rait
Beasley	Just	Ritter
Beggs	Kapaun	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre

Messrs.	Messrs.	Messrs.
Bläck	Kraus	Schauss
Blair	Langford	Schimke
Brown	Leum	Seibel
Burgum	Levin	Semerad
Byrne	Livingston	Severson
Caddell	McInnes	Shure, Cass
Dalzell	McIntee	Solberg
Day	Magill	Sticka
Dittmer	Morland	Stray
Fitch	Morris	Symington
Frazier	Myers	Thompson
Freitag	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Gessner	Nelson, Sargent	Treffry
Gilberg	Norheim	Trydahl
Godwin	Obach	Tuff
Goodlaxon	O'Brien	Tweten
Graham	Odegard	Twichell
Greiser	Oglesby	Urschel
Hagen	Olson, McLean	White
Haines	Olson, Sargent	Wick
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Ireland	Olson, Adams
Benno	Jensen	Olson, Bowman
Bjornson	Johnson	Shurr, Bottineau
Brusseau	Jones	Wendland
Dullea	LaBerge	Williams
Frosaker		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Mr. Frazier moved that the vote by which Senate Bill No. 141 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

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, 88; nays, 9; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Page
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Johnson	Peterson, Renville
Beasley	Jury	Peterson, Richland
Beggs	Just	Pewe

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Kapaun	Rait
Billigmeier	Knudson, Steele	Sand
Black	Knutson, LaMoure	Sandness
Blair	Krank	Saumur
Brown	Kraus	Savre
Burgum	Langford	Schauss
Caddell	Leum	Schimke
Dalzell	Levin	Seibel
Dittmer	Livingston	Semerad
Dullea	McInnes	Severson
Fitch	McIntee	Shurr, Bottineau
Frazier	Magill	Solberg
Freitag	Morland	Sticka
Frey	Morris	Stray
Gessner	Myers	Thoreson
Gilberg	Niewoehner	Traynor
Godwin	Nelson, Cass	Treffry
Goodlaxon	Nelson, Sargent	Trydahl
Graham	Norheim	Tuff
Greiser	Obach	Tweten
Hagen	O'Brien	Urschel
Haines	Oglesby	White
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holthusen		

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beaton	Holmquist	Thompson
Bieloh	Shure, Cass	Twichell
Byrne	Symington	Wick

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Ireland	Olson, Adams
Benno	Jensen	Olson, Bowman
Bjornson	Jones	Ritter
Brusseau	LaBerge	Wendland
Day	Odegard	Williams
Frosaker		

So the bill passed and the title was agreed to.

Mr. Sand 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 prevailed.

Mr. Holmquist moved that action on Senate Bill No. 59 be deferred until tomorrow.

Mr. Burgum offered as a substitute motion that action on Senate Bill No. 59 be made a special order of business for 10:00 A. M. tomorrow.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. White moved that House Rule No. 28 be suspended for the purpose of amending Senate Bill No. 120.

A division was called for and the motion prevailed.

Mr. White moved to adopt the amendments to Senate Bill No. 120 as offered by the standing committee on pages 1612 and 1613 of the House Journal, which motion prevailed.

Mr. Bieloh moved that Senate Bill No. 120 be amended as follows:

Page 2 of the printed bill, line 19, strike out the comma following the word "state", and insert the words "for hire". Strike out the balance of the section.

Page 3 of the printed bill, section 2, line 5, after the word "property", insert the words "for hire".

Page 746 of the Senate Journal, strike out amendment 8.

Page 9, of the printed bill, strike out Section 11, as amended by the Senate at amendment 12, page 747 of the Senate Journal.

Page 14 of the printed bill, Section 20, line 4, after the word "property", insert the words "for hire".

Page 747 of the Senate Journal, amendment 17, starting at line 11 of said amendment, strike out the following:

"No person shall at the same time operate as a private carrier under this Act and hold or be granted a permit as a contract carrier and/or a certificate as a common carrier".

Mr. Beggs moved the previous question, which motion prevailed.

The question being on Mr. Bieloh's motion to amend Senate Bill No. 120, the motion was lost.

Mr. White moved that the rules be suspended and that Senate Bill No. 120 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Mr. Langford moved the previous question.

Which motion prevailed.

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, 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, 52; absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Knutson, LaMoure	Peterson, Renville
Blair	Krank	Sand
Burgum	Kraus	Saumur
Dittmer	Langford	Savre
Fitch	Leum	Seibel
Frazier	Livingston	Severson
Godwin	Magill	Shurr, Bottineau
Hagen	Niewoehner	Stray
Hofstrand	Nelson, Cass	Symington
Holm	Nelson, Sargent	Thoreson
Jury	Norheim	Tweten
Kapaun	O'Brien	Wolf
Knudson, Steele	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	Rait
Anfinson	Holthusen	Ritter
Beasley	Hultstrand	Sandness
Beaton	Huseby	Schimke
Beggs	Johnson	Semerad
Biberdorf	Just	Shure, Cass
Bieloh	McInnes	Solberg
Black	McIntee	Sticka
Brown	Morland	Thompson
Byrne	Morris	Traynor
Dalzell	Myers	Treffry
Day	Obach	Trydahl
Dullea	Oglesby	Tuff
Freitag	Olson, McLean	Twichell
Goodlaxon	Olson, Sargent	Urschel
Graham	Peterson, Bot'neau	White
Greiser	Pewe	Wick
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Gessner	Odegard
Benno	Gilberg	Olson, Adams
Billigmeier	Ireland	Olson, Bowman
Bjornson	Jensen	Peterson, Richland
Brusseau	Jones	Schauss
Caddell	LaBerge	Wendland
Frey	Levin	Williams
Frosaker		

So the bill lost.

Mr. White: I vote "no" for the purpose of reconsideration.

Mr. Semerad: I vote "no" on account of Section 35 where it says: "Balance of Statute Not to be Affected by Unconstitutionality of any Part. If any section, subsection, clause, sentence or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act." The legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Robert Chesrown, Linton, N. Dak.;

Visitors from Macomber School of Wilton, N. Dak.: Jernet Polzin, Adeline Waddington, Ruth Ollenburger, Irene Langhausen, Eugene Corrington, Elaine Albrecht, Patricia Morgan, George Corrington, William Ollenburger, Harding Koch and Gladys Hanson, teacher.

C. F. Young, LaMoire; Elmer Judd, Cando; W. H. Pewe, New Rockford; Carl Thompson, New Rockford; R. H. Points, Crosby; Lyle George Hillsboro; Mrs. Art Maznse, Bismarck; Mr. Art Maznse, Bismarck; Mrs. J. A. Schmik, McClusky; Mr. J. A. Schmik, McClusky; Ralph Keel, Underwood; Fred Brown, Mercer; Jacob Brown, Mercer; Esther Crawford, Hazelton; Mildred Grosz, Fredonia; Lenora Kaldin, Bismarck; Clara Mae Carlson, Bowman; Mildred Olson, Bowman; Robert Eddy, Jamestown; Carl Lindberg, Jamestown; Louis Tintera, Dickinson. Mrs. Herman Frey, Jamestown; Herman Frey, Jamestown; Elmer Frey, Jamestown; Joe Schmide, Jamestown; J. E. Yaeger, Jamestown; Tim Ellithorpe, Minot; C. H. Burnes, Cass County; Hon. S. E. Ellsworth, Jamestown; Mrs. Wm. Selard, Ray; Gust Juke, Fredonia; Oscar Gackle, Napoleon; Chas. Bullmeier, Orrin; Michael M. Hager, Orrin; Anton M. Hager, Orrin; Al Wilkes, Balta; N. O. Martin, Huff, N. D.; McClusky High School Class, Sheridan County: Melford Dulos, Robert Preston, Hazel Dahl; Esther Rothacker, Wm. Westley, Mary Nohrer. Frieda Klundt, Dean Beierle, Roy Froelich, Carl Peterson, Glenn Oliver, Arnold Nuernberg, Genevieve Skaff, Frances Heslop, Muriel Rhoads, Andy Froelich, Alma Fischer, Laura Wahl, Violet Froehlich, Marvin Wahl, Roy Engel, Mike Jasmann; Representatives 35th District: John J. Adam, Ole Akland.

Mr. Godwin moved that the House recess until 10:00 A. M., tomorrow, which motion prevailed and the House recessed.

MINNIE D. CRAIG,  
Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS AND  
SIXTIETH DAYHouse of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

The House convened at 10:00 o'clock A. M., pursuant to recess, Speaker Dahl presiding.

## SEVENTH ORDER OR BUSINESS

Mr. Freitag offered the following resolution:

WHEREAS, Roy W. Frazier, Representative from Divide County, was called to Elwood, Indiana, on the death of his mother:

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives extends its sincere regret that Mr. Frazier will be unable to attend the balance of the Legislative Assembly, and its deepest sympathy in his bereavement; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be mailed to Mr. Frazier.

Mr. Freitag moved that the Resolution be adopted.

Which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation

of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Which the House has amended as shown on page 1883 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Which the House has amended as shown on page 1744 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Which the House has amended as shown on page 1821 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards



in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Which the House has amended as shown on page 1745 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

Which the House has amended as shown on page 1755 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Which the House has amended as follows:

On page 1788 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Which the House has amended as follows:

On page 1788 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

FRIDAY, MARCH 5, 1937

1833

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Which the House has amended as follows:

On page 1741 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Which the House has amended as follows:

On page 1895 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and

Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Which the House has amended:

As on page 1744 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following resolution and bills:

HOUSE CONCURRENT RESOLUTION No. 356.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 201. A Bill for an Act Providing for the

Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return the following bills:

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Also,

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Also,

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing

Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Also,

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Also,

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Also,

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Also,

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Also,

SENATE CONCURRENT RESOLUTION "P".

Also,

SENATE CONCURRENT RESOLUTION "Y".

Which the House has passed unchanged.

Very respectfully,  
MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF THE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvement and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 59 being a special order of business for 10:00 o'clock, the House resumed consideration of the same.

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

Was read the second time.

Mr. Burgum 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, 63; nays, 38; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Jensen	Pewe
Beasley	Johnson	Rait
Beggs	Jury	Sandness
Biberdorf	Just	Savre
Blair	Knudson, Steele	Semerad
Burgum	Krank	Severson
Caddell	Langford	Shure, Cass
Dalzell	Leum	Shurr, Bottineau
Dittmer	Livingston	Sticka
Dullea	Magill	Symington
Freitag	Morland	Thompson
Goodlaxon	Myers	Thoreson
Graham	Niewoehner	Treffry
Greiser	Nelson, Cass	Trydahl
Hofstrand	Obach	Tuff
Holm	Odegard	Tweten
Holmquist	Oglesby	Twichell
Holt husen	Olson, McLean	Wendland
Hultstrand	Olson, Sargent	White
Huseby	Page	Wick
Ireland	Peterson, Richland	Williams

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Gilberg	Peterson, Renville
Akland	Godwin	Ritter
Anfinson	Hagen	Sand
Beaton	Haines	Saumur
Bieloh	Kapaun	Schauss
Billigmeier	Kraus	Schimke
Black	Levin	Seibel
Brown	McInnes	Stray
Byrne	McIntee	Traynor
Day	O'Brien	Urschel
Fitch	Olson, Adams	Wolf
Frey	Olson, Bowman	Mr. Speaker
Gessner	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Frosaker	Morris
Bjornson	Jones	Nelson, Sargent
Brusseau	Knutson, LaMoure	Norheim
Frazier	LaBerge	Solberg

So the bill passed and the title was agreed to.

The emergency clause was declared lost.

Mr. Williams moved that the vote by which Senate Bill No. 59 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin: I voted "no" on this bill because I see in this bill everything that has led to so many of our troubles in the past, and I can see before me intolerance written in bold letters. I vote against this thing because it prohibits dances in any place where a decent dance may be held. I voted "no" on this bill because we have brought our children into the world in this generation, in which we have not provided them with jobs, and in which we not only profess to keep our children, but other children, without any means of expressing their youthful energies and desires. I vote "no" on this bill of intolerance.

Mr. Twichell: I voted "aye" on this bill because in the shape it is in I don't think it means anything. I tried to get it amended, and I couldn't get it amended, so I voted "yes" on it.

Mr. Wolf: I voted "no" on this bill because we used to have free dances where they sold liquor, and now we are going to have free liquor where they dance.

Mr. Holm: If you pass this law you say in so many words to the young folks of America "Ladies and gentlemen, here is a dance hall, the door is open, take the liquor bottle with you". It is a degrading measure and I am proud to vote against it. It is a disgrace to this House to pass a measure of this sort.

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

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, 65; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beggs	Just	Peterson, Richland
Brown	Kapaun	Pewe
Byrne	Knudson, Steele	Sand

Day	Kraus	Savre
Fitch	Langford	Seibel
Godwin	Magill	Solberg
Goodlaxon	Morris	Stray
Graham	Myers	Thompson
Haines	Niewoehner	Treffry
Holm	Odegard	Trydahl
Holthusen	Olson, Bowman	Tuff
Huseby	Olson, Sargent	Wendland
Ireland	Peterson, Renville	White
Jury		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Page
Akland	Hagen	Peterson, Bot'neau
Anderson	Hofstrand	Rait
Anfinson	Holmquist	Ritter
Beasley	Hultstrand	Sandness
Beaton	Jensen	Schauss
Benno	Johnson	Schimke
Biberdorf	Knutson, LaMoure	Semerad
Bieloh	Krank	Severson
Billigmeier	Leum	Shure, Cass
Black	Levin	Shurr, Bottineau
Blair	Livingston	Sticka
Burgum	McInnes	Symington
Caddell	McIntee	Thoreson
Dalzell	Morland	Traynor
Dittmer	Nelson, Cass	Tweten
Dullea	Norheim	Urschel
Freitag	Obach	Wick
Frey	O'Brien	Williams
Frosaker	Oglesby	Wolf
Gessner	Olson, Adams	Mr. Speaker
Gilberg	Olson, McLean	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Jones	Saumur
Brusseau	LaBerge	Twichell
Frazier	Nelson, Sargent	

So the bill was lost.

Mr. Burgum: I vote "no" for the purpose of reconsideration.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolution and bills:

#### SENATE CONCURRENT RESOLUTION "O"

Also,

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Also,

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Also,

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Also,

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm

and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Also,

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Which the President of the Senate has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

#### HOUSE CONCURRENT RESOLUTION "Q"

Also,

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in this State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "E-1"

Also,

HOUSE CONCURRENT RESOLUTION "D-1"

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereof; and Penalties for Violations Hereof.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Also,

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "O"

Also,



House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 234. A Bill for an Act Requiring All Li-

censed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 203. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws, Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions

of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

HOUSE CONCURRENT RESOLUTION "A-1".

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 326. A Bill for an Act to Provide for the

Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

HOUSE CONCURRENT RESOLUTION "V".

Also,

HOUSE CONCURRENT RESOLUTION "E".

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended;

Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

Also,

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of Values, Excepting Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty and Declaring an Emergency.

Also,

House Bill No. 89. A Bill for an Act Relating to the Ad-

ministration of Insolvent Banking Institutions; Appointing the Bank of North Dakota as Liquidating Agent Therefor; Requiring Delivery of Assets to the Bank of North Dakota, Specifying Its Duties in Connection Therewith and Providing Compensation Therefor; Providing for the Appointment of Committees to Reopen and Liquidate Such Banks; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

HOUSE RESOLUTION "M".

Was read the second time.

Mr. Wolf moved that House Resolution "M" be adopted.

Which motion prevailed.

Mr. Niewoehner moved that House Resolution "M" be printed in the Journal.

Which motion prevailed.

HOUSE RESOLUTION "M"

Introduced by Representative Magill

WHEREAS, The use of Motor Vehicles under present existing statutes has become a growing menace to the lives and well-being of the people of all nations, especially in the United States of America: and,

WHEREAS, The great loss of life and limb is directly traceable to the excessive speeds and other reckless practices of the Drivers of such Motor Vehicles of every description, resulting in a greater loss of life and earning power of those killed and injured every year in motor accidents than was sustained by this country in the Great World War; and

WHEREAS, This condition can be remedied, to some extent at least:

(a) If individual licenses can be issued by the several States showing the maximum speeds allowed to the different users or drivers of such motor vehicles, which shall depend upon the ability of each driver and the nature of the vehicle licensed.

(b) If an accurate check can be made upon the driving record of each driver, as to observance of safety rules, by requiring records to be filed with the proper authorities.

(c) If each driver becomes his own traffic patrolman, by the record which will infallibly show how fast he was driving when any accident in which he shall be involved takes place.

(d) If each motor vehicle is provided with a mechanical

conscience, it will eliminate and make unnecessary a great majority of the traffic patrolmen, since the best governor of any motor vehicle is and should be the driver thereof.

**THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:**

That Congress is hereby respectfully memorialized and requested to enact the necessary laws requiring the equipment of ALL motor vehicles made and offered for sale on and after the First Day of January, 1938, with recording speedometers which will accurately and at all times record the speed of every such motor vehicle.

Mr. Caddell: I vote "aye" on this resolution. I think it is a pretty good idea to have a kind of check on all automobiles to tell how fast they are going. I also think it would be a good idea if we had a thing like that tied to some of these legislators to tell how fast they were traveling.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Was read the second time.

Mr. Beggs asked the unanimous consent of the House to amend Senate Bill No. 253, which consent was denied.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 15; absent and not voting, 13; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Jury	Peterson, Richland
Beaton	Just	Pewe
Beggs	Kapaun	Sand
Benno	Knudson, Steele	Sandness
Biberdorf	Knutson, LaMoure	Savre
Bieloh	Krank	Schauss
Black	Langford	Schimke
Brown	Leum	Seibel
Burgum	Levin	Semerad
Byrne	Livingston	Severson
Caddell	McInnes	Shurr, Bottineau
Dalzell	Magill	Solberg
Day	Morland	Sticka
Dittmer	Morris	Stray
Dullea	Myers	Symington
Fitch	Niewoehner	Thompson
Freitag	Nelson, Cass	Thoreson
Frey	Norheim	Treffry
Frosaker	Obach	Trydahl

Messrs.	Messrs.	Messrs.
Goodlaxon	O'Brien	Tuff
Graham	Odegard	Tweten
Haines	Oglesby	Twichell
Hofstrand	Olson, Adams	Urschel
Holm	Olson, Bowman	Wendland
Holthusen	Olson, McLean	White
Hultstrand	Olson, Sargent	Williams
Ireland	Page	Wolf
Jensen	Peterson, Renville	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Rait
Akland	Hagen	Ritter
Anderson	Holmquist	Saumur
Anfinson	McIntee	Shure, Cass
Billigmeier	Peterson, Bot'neau	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Godwin	Kraus
Blair	Huseby	LaBerge
Brusseau	Johnson	Nelson, Sargent
Gessner	Jones	Traynor
Gilberg		

Passed:

Messrs.  
Frazier.

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Tweten moved that the vote by which Senate Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Caddell moved that Mr. Frazier be excused from voting on Senate Bill No. 253.

Which motion prevailed.

Mr. Akland asked the unanimous consent of the House to amend Senate Bill No. 80, which consent was denied.

### ROLL CALL

The question being on the final passage of Senate Bill No. 80, the roll was called and there were ayes, 103; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Olson, Sargent



Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Peterson, Bot'neau
Anfinson	Hultstrand	Peterson, Renville
Beaton	Huseby	Peterson, Richland
Beggs	Ireland	Pewe
Benno	Jensen	Rait
Biberdorf	Johnson	Ritter
Bieloh	Jury	Sand
Billigmeier	Just	Sandness
Bjornson	Kapaun	Saumur
Black	Knudson, Steele	Schauss
Blair	Knutson, LaMoure	Schimke
Brown	Krank	Seibel
Burgum	Kraus	Semerad
Byrne	LaBerge	Severson
Caddell	Langford	Shure, Cass
Dalzell	Leum	Shurr, Bottineau
Day	Levin	Solberg
Dittmer	Livingston	Sticka
Dullea	Magill	Stray
Fitch	McInnes	Symington
Frazier	McIntee	Thompson
Freitag	Morland	Thoreson
Frey	Morris	Trydahl
Frosaker	Myers	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Niewoehner	Urschel
Godwin	Norheim	Wendland
Goodlaxon	Obach	White
Graham	O'Brien	Wick
Greiser	Odegard	Williams
Hagen	Oglesby	Wolf
Haines	Olson, Adams	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Savre	Treffry
Olson, Bowman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Nelson, Sargent	Traynor
Jones	Page	Twichell

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Niewoehner moved that the vote by which Senate Bill No. 80 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Byrne moved that the vote by which Senate Bill No. 47 was lost be reconsidered.

Mr. Beggs moved that Mr. Byrne's motion be laid on the table.

A roll call was demanded and granted.

A call of the House was demanded and granted.

Mr. Wolf moved that further proceedings in connection with the call of the House be dispensed with.

Which motion prevailed.

### ROLL CALL

The question being on Mr. Beggs' motion, the roll was called and there were ayes, 58; nays, 52; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Schauss
Akland	Ireland	Schimke
Anderson	Jensen	Seibel
Anfinson	Knutson, LaMoure	Semerad
Beaton	Krank	Shurr, Bottineau
Beggs	Levin	Solberg
Biberdorf	Livingston	Sticka
Bieloh	McIntee	Stray
Billigmeier	Myers	Thoreson
Bjornson	Obach	Treffry
Caddell	Odegard	Tuff
Frazier	Olson, Adams	Tweten
Freitag	Olson, McLean	Urschel
Godwin	Peterson, Bot'neau	Wendland
Greiser	Pewe	White
Hagen	Rait	Wick
Haines	Ritter	Williams
Hofstrand	Sand	Wolf
Holmquist	Savre	Mr. Speaker
Hultstrand		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Norheim
Benno	Holthusen	O'Brien
Black	Johnson	Oglesby
Blair	Jury	Olson, Bowman
Brown	Just	Olson, Sargent
Burgum	Kapaun	Page
Byrne	Knudson, Steele	Peterson, Renville
Dalzell	Kraus	Peterson, Richland
Day	LaBerge	Sandness
Dittmer	Langford	Saumur
Dullea	Leum	Severson
Fitch	McInnes	Shure, Cass
Frey	Magill	Symington
Frosaker	Morland	Thompson
Gessner	Morris	Traynor
Gilberg	Niewoehner	Trydahl
Goodlaxon	Nelson, Cass	Twichell
Graham		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Nelson, Sargent

So the motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Symington moved that the vote by which Senate Bill No. 128 was declared lost be reconsidered.

Which motion prevailed.

Mr. Symington moved that Senate Bill No. 128 be placed on the calendar.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 128 be placed on 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, 84; nays, 19; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Adams
Anderson	Hofstrand	Olson, Bowman
Anfinson	Holm	Olson, McLean
Beasley	Holmquist	Page
Beaton	Holthusen	Peterson, Bot'neau
Beggs	Huseby	Peterson, Renville
Benno	Ireland	Peterson, Richland
Bieloh	Jensen	Pewe
Billigmeier	Just	Rait
Bjornson	Kapaun	Ritter
Black	Knudson, Steele	Sand
Brown	Knutson, LaMoure	Sandness
Burgum	Krank	Saumur
Byrne	Kraus	Semerad
Dalzell	Langford	Severson
Day	Leum	Shurr, Bottineau
Dullea	Livingston	Solberg
Fitch	McInnes	Sticka
Frazier	McIntee	Stray
Freitag	Magill	Symington
Frosaker	Morland	Thompson
Gessner	Morris	Treffry
Gilberg	Myers	Trydahl
Godwin	Niewoehner	Twichell
Goodlaxon	Nelson, Cass	Urschel
Graham	Obach	Wendland
Greiser	O'Brien	White
Hagen	Odegard	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Oglesby	Traynor
Blair	Olson, Sargent	Tuff
Caddell	Savre	Tweten
Dittmer	Seibel	Wick
Johnson	Shure, Cass	Williams
Levin	Thoreson	Mr. Speaker
Norheim		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Jones	Nelson, Sargent
Brusseau	Jury	Schauss
Frey	LaBerge	Schimke
Hultstrand		

So the bill passed and the title was agreed to.

Mr. Dullea moved that the vote by which Senate Bill No. 128 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Williams: I wouldn't trade my vote off to the Democrats if I were burned at the stake. I vote "no".

The Speaker called Mr. Wolf to the chair.

#### SEVENTH ORDER OF BUSINESS

Mr. O'Brien moved that the action by which Senate Bill No. 24 was declared lost be reconsidered.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. O'Brien's motion, the roll was called and there were ayes, 50; nays, 57; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Graham	O'Brien
Beasley	Hagen	Odegard
Benno	Hofstrand	Oglesby
Billigmeier	Holm	Olson, Bowman
Black	Holthusen	Peterson, Renville
Brown	Ireland	Peterson, Richland
Burgum	Jury	Ritter
Byrne	Just	Sandness
Caddell	Kapaun	Saumur
Dalzell	Knudson, Steele	Severson
Day	Kraus	Solberg
Dullea	Langford	Stray
Fitch	Leum	Symington
Frosaker	Levin	Thompson

Messrs.	Messrs.	Messrs.
Gessner	Magill	Tweten
Godwin	Morland	Wendland
Goodlaxon	Morris	White

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Savre
Akland	Knutson, LaMoure	Schauss
Anderson	Krank	Schimke
Beaton	Livingston	Seibel
Beggs	McInnes	Semerad
Biberdorf	McIntee	Shure, Cass
Bieloh	Myers	Shurr, Bottineau
Bjornson	Niewoehner	Sticka
Blair	Nelson, Cass	Thoreson
Dittmer	Norheim	Treffry
Frazier	Obach	Trydahl
Freitag	Olson, Adams	Tuff
Gilberg	Olson, McLean	Twichell
Greiser	Olson, Sargent	Urschel
Haines	Page	Wick
Holmquist	Peterson, Bot'neau	Williams
Hultstrand	Pewe	Wolf
Huseby	Rait	Mr. Speaker
Jensen	Sand	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Jones	Nelson, Sargent
Frey	LaBerge	Traynor

So the motion was lost.

Mr. Akland moved that the vote by which Mr. O'Brien's motion was lost be reconsidered and the motion to reconsider be laid on the table.

A division was called for and the motion prevailed.

Mr. Greiser moved that the House consider Senate Bill No. 255.

Which motion prevailed.

Mr. Greiser asked the unanimous consent of the House to amend Senate Bill No. 255 as follows:

On page 1 of the printed bill, in Section 2, line 2, after the word "or" and ahead of the word "resolution," insert the word "concurrent".

On page 2 of the printed bill, line 4, strike out the word "resolutions" and insert "concurrent resolutions to amend the Constitution".

On page 2 of the printed bill, line 5, after the word "be" and ahead of the word "printed," insert the following: "numbered consecutively and be".

On page 2 of the printed bill, in line 9, after the word "copy" and the period (.), insert the following: "A calendar of bills and resolutions introduced and referred shall be printed daily for the use of the members of the legislative assembly and for distribution. Such calendar shall be printed on sized and calendered paper, set solid in eight point type, two columns thirteen ems wide, in pages of sufficient length to contain a brief synopsis of each bill or resolution introduced and referred on that day, the number of each bill or resolution, the name of the person introducing the same, the name of the committee to whom referred, the number of each bill that day passing either branch of the legislative assembly and messaged to the other, and the statement of the final disposition of any bill or resolution on that day made. The synopsis of bills and resolutions to be so printed in such calendar, and such other matter to be printed therein as hereinbefore provided, shall be edited by a clerk to be employed for such purpose by the branch of the legislative assembly in which such bill or resolution is introduced or in which the action respecting such measure is had. Such synopsis or statement of any bill or resolution, as published in such calendar, shall not exceed ten printed lines in length. Such daily calendar shall be distributed and mailed in such number and manner as by resolution of either branch of the legislative assembly determined."

Which consent was granted.

Mr. Morris moved that the rules be suspended and that Senate Bill No. 255 be placed on 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, 101; nays, 0; absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Ireland	Rait
Beggs	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knudson, Steele	Schimke
Black	Knutson, LaMoure	Seibel
Blair	Krank	Semerad
Brown	Kraus	Severson
Burgum	Langford	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Livingston	Solberg

Messrs.	Messrs.	Messrs.
Dalzell	Magill	Sticka
Day	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Niewoehner	Trydahl
Gessner	Norheim	Tuff
Gilberg	Obach	Tweten
Godwin	O'Brien	Twichell
Goodlaxon	Odegard	Urschel
Graham	Oglesby	Wendland
Greiser	Olson, Adams	Wick
Hagen	Olson, Bowman	Williams
Haines	Olson, Sargent	Wolf
Hofstrand	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Jones	Olson, McLean
Brusseau	LaBerge	Schauss
Fitch	Levin	White
Huseby	Nelson, Sargent	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Page moved that the vote by which Senate Bill No. 255 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker resumed the chair.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Which the House has amended as follows:

On page 1783 of House Journal and further amendments as attached herewith.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

FRIDAY, MARCH 5, 1937

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House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Which the House has amended as follows:

On page 1758 of House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Also,

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring and Emergency.

Also,

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Which the Senate has amended as shown on page 1233 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Jensen moved that the House concur in the Senate amendments to House Bill No. 150.

Which motion prevailed.

Mr. Godwin moved that the House reconsider its action in concurring in the Senate amendments to House Bill No. 150.

Which motion prevailed.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 150 and that a conference committee be appointed to act with a like committee from the Senate.

Which motion prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property

Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Which the Senate has amended as shown on pages 1231, 1299 and 1493 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 125 and that a conference committee be appointed to act with a like committee from the Senate.

Mr. Traynor offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 125.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Mr. Traynor's motion on the final passage of the bill, as amended by the Senate, the roll was

called and there were ayes, 27; nays, 71; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Knudson, Steele	Peterson, Richland
Dalzell	Kraus	Sandness
Dittmer	McInnes	Severson
Frosaker	Nelson, Cass	Shure, Cass
Holm	Norheim	Symington
Holthusen	Odegard	Traynor
Johnson	Oglesby	Trydahl
Jones	Olson, Sargent	Twichell
Jury	Page	Wick

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Hagen	Peterson, Renville
Akland	Haines	Pewe
Anderson	Hofstrand	Rait
Anfinson	Holmquist	Ritter
Beaton	Hultstrand	Sand
Beggs	Ireland	Saumur
Benno	Jensen	Savre
Billigmeier	Just	Schimke
Black	Kapaun	Seibel
Brown	Krank	Semerad
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McIntee	Sticka
Day	Magill	Stray
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Treffry
Frey	Niewoehner	Tuff
Gessner	Obach	Tweten
Gilberg	O'Brien	White
Godwin	Olson, Adams	Williams
Goodlaxon	Olson, Bowman	Wolf
Graham	Olson, McLean	Mr. Speaker
Greiser	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beasley	Knutson, LaMoure	Leum
Bieloh	Fitch	Nelson, Sargent
Bjornson	Huseby	Schauss
Blair	LaBerge	Urschel
Brusseau	Langford	Wendland

So the motion was lost.

The question being on Mr. Godwin's motion, the motion prevailed and the Speaker appointed as a conference committee on House Bill No. 125, Representatives Hagen, Byrne and Morris.

FRIDAY, MARCH 5, 1937

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MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 125 and the Speaker has appointed as a Conference Committee, Representatives Hagen, Byrne and Morris.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 150.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House accede to the Senate's request and return House Bill No. 150 to the Senate.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Which the Senate has requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

Mr. Godwin moved that the absent members be excused.

Which motion prevailed.

Mr. Godwin moved that the House be on the Eighth Order of Business, and that at the completion of such business the House adjourn.

Which motion prevailed.

## EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

## HOUSE RESOLUTION "O".

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

SENATE CONCURRENT RESOLUTION "O".

Also,

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Pur-

chaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Also,

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Also,

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act to Amend an Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913, and All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The House adjourned.

#### SIXTIETH DAY

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

The House assembled at 2:45 p. m., pursuant to adjournment, Speaker Dahl presiding.

Prayer by Rev. N. E. Elsworth of Bismarck.

The roll was called and all members were present except Representatives Akland, Anfinson, Beggs, Benno, Black, Brusseau, Frazier, Graham, Ireland, Langford, Nelson of Sargent, Olson of McLean and Treffry.

So a quorum was declared present.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the Senate be requested to return Senate Bill No. 80 to the House, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 80 which was messaged in error.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 59th day after recess and 60th day and recommend that the same be corrected as follows:

On page 1904, line 18, after the word "was" strike out the word "passed" and insert in lieu thereof the word "lost".

Add Senate Bill No. 80 to the calendar.

On page 1849 strike out the "Message from the Senate".

And when so corrected recommend that the same be approved.

H. R. FREITAG,  
Chairman.

Mr. Beaton moved that the report be adopted, which motion prevailed and the report was adopted.



## MESSAGE FROM THE HOUSE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Which the Senate has passed by a two-thirds vote notwithstanding the objections of the Governor.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that action on Senate Bill No. 7 be deferred, which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he may Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Which the Senate has amended as follows:

In Section 41, line 6, of the original bill, change the word "ninety" to "sixty".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 55, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 55 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Ireland	Rait
Beaton	Jensen	Ritter
Benno	Johnson	Sand
Biberdorf	Jones	Sandness
Bieloh	Jury	Saumur
Billigmeier	Just	Savre
Bjornson	Kapaun	Schimke
Black	Knudson, Steele	Seibel
Blair	Knutson, LaMoure	Semerad
Brown	Krank	Severson
Burgum	Kraus	Shure, Cass
Byrne	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Day	Livingston	Sticka
Dalzell	McInnes	Stray
Dittmer	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Treffry
Freitag	Myers	Trydahl
Frey	Nelson, Cass	Tuff
Frosaker	Niewoehner	Tweten
Gessner	Norheim	Twichell
Gilberg	Obach	Urschel
Godwin	O'Brien	Wendland
Goodlaxon	Odegard	White
Graham	Oglesby	Wick
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, Sargent	Mr. Speaker
Hofstrand	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beggs	LaBerge	Olson, McLean
Brusseau	Langford	Schauss
Holthusen	Nelson, Sargent	Traynor

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Mr. Godwin 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.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 55.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Chapter 281 of the Session Laws of North Dakota for the Year 1927, and Chapter 74 of the Laws of 1929, Relating to the Office of Veterans' Service Commissioner, and Amending the Same with Reference to Qualifications and the Manner of Appointment of Such Service Commissioner and Salary and Expense of Carrying Out Provisions of This Act.

Which the Senate has amended as shown on page 1291 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 297 and that a conference committee be appointed to act with a like committee from the Senate, which motion prevailed; and the Speaker appointed to such conference committee Representatives Cad-dell, Ritter and Leum.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended as shown on page 1511 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Schauss moved that the House do not concur in the Senate amendments to House Bill No. 119 and that a conference committee be appointed to act with a like committee from the Senate.

Mr. Holm offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 119.

A roll call was demanded and granted.

### ROLL CALL

The question being on Mr. Holm's substitute motion, the roll was called and there were ayes, 56; nays, 52; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beasley	Holm	Oglesby
Beaton	Huseby	Olson, Bowman
Benno	Ireland	Olson, Sargent
Biberdorf	Johnson	Peterson, Renville
Bjornson	Jones	Peterson, Richland
Black	Jury	Sandness
Blair	Just	Saumur
Brown	Kapaun	Savre
Burgum	Knudson, Steele	Severson
Byrne	Kraus	Shure, Cass
Dalzell	LaBerge	Solberg
Day	Magill	Symington
Dullea	Morland	Thompson
Frey	Morris	Traynor
Frosaker	Niewoehner	Trydahl
Gessner	Nelson, Cass	Twichell
Gilberg	Norheim	Wendland
Goodlaxon	O'Brien	Wick
Graham	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Adam	Jensen	Sand
Akland	Knutson, LaMoure	Schauss
Anderson	Krank	Schimke
Anfinson	Leum	Seibel
Beggs	Levin	Semerad
Bieloh	Livingston	Shurr, Bottineau
Billigmeier	McInnes	Sticka
Caddell	McIntee	Stray
Dittmer	Myers	Thoreson
Frazier	Obach	Treffry
Freitag	Olson, Adams	Tuff
Godwin	Olson, McLean	Tweten
Greiser	Page	Urschel
Hagen	Peterson, Bot'neau	White
Haines	Pewe	Williams
Hofstrand	Rait	Wolf
Holmquist	Ritter	Mr. Speaker
Hultstrand		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Holthusen	Nelson, Sargent
Fitch	Langford	

So the motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 119 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 93; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Olson, McLean
Akland	Holmquist	Peterson, Bot'neau
Anderson	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Ireland	Pewe
Beaton	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Kapaun	Savre
Bjornson	Knudson, Steele	Schauss
Black	Knutson, LaMoure	Schimke
Brown	Kraus	Seibel
Burgum	LaBerge	Semerad
Byrne	Leum	Severson
Caddell	Levin	Shurr, Bottineau
Day	Livingston	Solberg
Dittmer	McInnes	Sticka
Fitch	McIntee	Stray
Frazier	Morland	Thompson
Freitag	Myers	Thoreson
Frey	Niewoehner	Treffry
Frosaker	Nelson, Cass	Trydahl
Godwin	Norheim	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Urschel
Greiser	Odegard	White
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Hofstrand	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Magill	Symington
Dalzell	Morris	Traynor
Dullea	Olson, Sargent	Twichell
Gessner	Page	Wick
Gilberg	Shure, Cass	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brusseau	Krank	Nelson, Sargent
Holthusen	Langford	Wendland

So the bill passed and the title was agreed to.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 119.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider the action by which it refused to concur in the Senate amendments to House Bill No. 297, which motion prevailed.

Mr. Fitch moved that the House do concur in the Senate amendments to House Bill No. 297, which motion prevailed.

Mr. Caddell moved that the rules be suspended and that House Bill No. 297 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 93; nays, 9; absent and not voting, 11; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Bot'neau
Akland	Holm	Peterson, Renville
Anderson	Holmquist	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Ireland	Ritter
Beggs	Johnson	Sand
Benno	Jones	Saumur
Biberdorf	Jury	Schauss
Bieloh	Just	Schimke
Billigmeier	Kapaun	Seibel
Black	Krank	Semerad
Blair	Kraus	Severson
Brown	LaBerge	Shure, Cass
Burgum	Leum	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McInnes	Stray
Fitch	McIntee	Thompson
Frazier	Magill	Thoreson
Freitag	Morland	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Norheim	Twichell

Messrs.	Messrs.	Messrs.
Godwin	Obach	Urschel
Goodlaxon	O'Brien	Wendland
Graham	Odegard	White
Greiser	Olson, Adams	Williams
Hagen	Olson, Bowman	Wolf
Haines	Olson, Sargent	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Byrne	Oglesby	Symington
Dullea	Page	Wick
Knudson, Steele	Sandness	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bjornson	Knutson, LaMoure	Olson, McLean
Brusseau	Langford	Savre
Holthusen	Morris	Traynor
Jensen	Nelson, Sargent	

Passed:

Messrs.  
Dittmer

So the bill passed and the title was agreed to.

Mr. Caddell moved that the vote by which House Bill No. 297 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 297.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Concurrent Resolution H and the President has appointed as a Conference Committee, Thatcher, Lian and Trout.

Very respectfully,

THOMAS McDONALD,  
Secretary.

FRIDAY, MARCH 5, 1937

1879

Mr. Godwin moved that a conference committee be appointed to confer with the conference committee from the Senate on Senate Concurrent Resolution "H," which motion prevailed, and the Speaker appointed to such committee Representatives Schauss, Morris and Gilberg.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to Senate Concurrent Resolution "H," and the Speaker has appointed as a conference committee Representatives Schauss, Morris and Gilberg.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Mak-



ing Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractic Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

#### SENATE CONCURRENT RESOLUTION "X."

Also,

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Pro-

viding for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Providing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Also,

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24, of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

Also,

Senate Bill No. 216. A Bill for an Act to Repeal Chapter 255 of the Session Laws of 1931, Relating to Teachers Oath or Affirmation to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of this State.

Also,

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Also,

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

Also,

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Also,

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State, Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

Also,

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith,

Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in this State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

Also,

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-

Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Also,

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Also,

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect There-to; and Penalties for Violations Hereof.

Also,

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock P. M., March 5, 1937.

CARL H. DETTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Also,

House Bill No. 214. A Bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Also,

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the North Half (N $\frac{1}{2}$ ) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Also,

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Also,

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the

Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Also,

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Also,

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Also,

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Reepaling All Acts in Conflict, and Declaring an Emergency.

Also,

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Also,

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Also,

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of

Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Also,

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.

Also,

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Also,

HOUSE CONCURRENT RESOLUTION "E-1".

Also,

HOUSE CONCURRENT RESOLUTION "D-1".

Were delivered to the Governor for his approval at the hour of 3:00 o'clock p. m., March 5, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

HOUSE CONCURRENT RESOLUTION "Q".

Also,

HOUSE CONCURRENT RESOLUTION "O".

Were delivered to the Secretary of State for his approval at the hour of 3:10 o'clock p. m., March 5, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the



Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Which the Senate has amended as shown on page 1286 of the Senate Journal, also House Bill 334 which the Senate has amended as shown on page 1292 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 248, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 248 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 79; nays, 18; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, McLean
Anderson	Huseby	Peterson, Bot'neau
Anfinson	Ireland	Peterson, Renville
Beasley	Jensen	Peterson, Richland
Beaton	Johnson	Pewe
Beggs	Jones	Rait
Benno	Just	Sand
Biberdorf	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Brown	Kraus	Semerad
Burgum	LaBerge	Severson
Byrne	Leum	Shurr, Bottineau
Dalzell	Livingston	Sticka
Dullea	Magill	Symington
Fitch	McInnes	Thompson
Freitag	McIntee	Thoreson
Frey	Morland	Treffry
Frosaker	Morris	Trydahl
Gessner	Myers	Tuff
Godwin	Niewoehner	Twichell
Goodlaxon	Obach	Urschel
Graham	Odegard	Wendland
Greiser	Oglesby	Williams
Haines	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist		

Those voting in the negative were:

Blair	Kapaun	Savre
Day	Levin	Shure, Cass

Messrs.	Messrs.	Messrs.
Dittmer	Nelson, Cass	Traynor
Gilberg	O'Brien	Tweten
Hofstrand	Page	White
Jury	Saumur	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hagen	Olson, Sargent
Bieloh	Holthusen	Ritter
Bjornson	Langford	Schauss
Brusseau	Nelson, Sargent	Solberg
Caddell	Norheim	Stray
Frazier		

So the bill passed and the title was agreed to.

The emergency clause was declared carried.

Mr. Tweten moved that the vote by which House Bill No. 248 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 248.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Which the Senate has amended as shown on page 1465 of

the Senate Journal and further amended by striking out in Section 31 on page 1474 of the Senate Journal the following language: "nor shall the provisions of Said Act apply to the issuance of membership certificates."

Very respectfully,

**THOMAS McDONALD,**  
Secretary.

Mr. Shure moved that the House do not concur in the Senate amendments to House Bill No. 346, and that a conference committee be appointed to act with a like committee from the Senate.

Mr. Godwin offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 346, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 346 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 85; nays, 9; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Olson, McLean
Akland	Hultstrand	Peterson, Bot'neau
Anderson	Huseby	Peterson, Renville
Anfinson	Ireland	Peterson, Richland
Beasley	Jensen	Pewe
Beaton	Johnson	Rait
Beggs	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Billigmeier	Knudson, Steele	Saumur
Bjornson	Knutson, LaMoure	Savre
Brown	Krank	Schauss
Burgum	Kraus	Seibel
Byrne	Leum	Semerad
Caddell	Levin	Severson
Day	Livingston	Shurr, Bottineau
Dalzell	McIntee	Solberg
Dullea	Magill	Sticka
Frazier	Morland	Stray
Freitag	Morris	Thompson
Frosaker	Myers	Thoreson
Gessner	Niewoehner	Treffry
Godwin	Norheim	Tweten
Goodlaxon	Obach	Wendland
Greiser	O'Brien	White
Hagen	Odegard	Williams
Haines	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Olson, Sargent	Symington
Jones	Page	Trydahl
Oglesby	Shure, Cass	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benno	Graham	Nelson, Sargent
Black	Hofstrand	Schimke
Brusseau	LaBerge	Traynor
Dittmer	Langford	Tuff
Fitch	McInnes	Twichell
Frey	Nelson, Cass	Urschel
Gilberg		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Mr. Frazier moved that the vote by which House Bill No. 346 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 346.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 153, 132, 42, 222, 128, 141, 98, 68, and 74.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

Senate Bill No. 80, in accordance with request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Also,

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies, Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has amended as follows:

In line 2 of the title and line 4, Section 1, strike out the words "pipe line companies."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 304, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 304 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as

amended by the Senate, the roll was called and there were ayes, 85; nays, 11; absent and not voting, 17; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Bot'neau
Akland	Huseby	Peterson, Richland
Anderson	Ireland	Pewe
Anfinson	Jensen	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sand
Bieloh	Jury	Sandness
Biberdorf	Just	Savre
Billigmeier	Knudson, Steele	Schimke
Bjornson	Krank	Seibel
Black	Kraus	Semerad
Brown	Levin	Severson
Burgum	Livingston	Shure, Cass
Caddell	Magill	Shurr, Bottineau
Dullea	McIntee	Solberg
Frazier	Morland	Sticka
Freitag	Morris	Stray
Frosaker	Myers	Symington
Godwin	Niewoehner	Thoreson
Goodlaxon	Nelson, Sargent	Treffry
Graham	Norheim	Trydahl
Greiser	Obach	Tweten
Hagen	O'Brien	Twichell
Haines	Odegard	Wendland
Hofstrand	Oglesby	White
Holm	Olson, Adams	Wick
Holmquist	Olson, Bowman	Williams
Holthusen	Olson, McLean	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beasley	Gilberg	Page
Dalzell	Kapaun	Saumur
Day	Knutson, LaMoure	Thompson
Fitch	McInnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Gessner	Peterson, Renville
Blair	LaBerge	Schauss
Brusseau	Langford	Tuff
Byrne	Leum	Urschel
Dittmer	Nelson, Cass	Mr. Speaker
Frey	Olson, Sargent	

Passed

Messrs.  
Traynor

So the bill passed and the title was agreed to.

The emergency clause was declared carried.

FRIDAY, MARCH 5, 1937

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Mr. Godwin moved that Mr. Traynor be excused from voting on House Bill No. 304, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 304.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Speaker called Mr. Wolf to the chair.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 248.

Very respectfully,

THOMAS McDONALD,  
Secretary  
Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 255 and the President has appointed as a conference committee Senators Johnson, Morrison and Lowe.

Very respectfully,

THOMAS McDONALD.  
Secretary.

Mr. Godwin moved that a conference committee be appointed to act with a like committee from the Senate on Senate Bill No. 255, which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 62 and the President has appointed as a conference committee Senators Cain, McGillic and Wog.

Very respectfully,

THOMAS McDONALD,  
Secretary.



Mr. Godwin moved that a conference committee be appointed to act with the conference committee from the Senate on Senate Bill No. 62, which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill 125, Senators Brostuen, Fowler, Guthrie.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

#### HOUSE CONCURRENT RESOLUTION "V."

A Resolution that inasmuch as the St. Lawrence Seaway has not been completed, and that negotiations were completed with Canada in 1932, that a wire be sent to the President, Vice President and to each North Dakota Senator and Representative, to bring pressure to bear so this waterway can be completed for reduction of rates for the Northwest.

Also,

#### HOUSE CONCURRENT RESOLUTION "E."

For the Planting of trees in North Dakota, for work for unemployed suffering from drouth and to prevent floods in the Missouri and Mississippi valleys.

Also,

#### HOUSE RESOLUTION "M."

As to safety regarding Motor Vehicles.

Also,

#### HOUSE CONCURRENT RESOLUTION "A-1."

Compulsory Blending of Alcohol (Ethyl).

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Which the Senate has amended as shown on page 1390.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 360 and that a conference committee be appointed to act with a like committee from the Senate, which motion prevailed.

Mr. Godwin moved that the House reconsider the vote by which Senate Bill No. 80 was declared passed, which motion prevailed.

Mr. Godwin moved that Senate Bill No. 80 be placed on the calendar, which motion prevailed.

**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the conference committee on Senate Bills No. 29, 30, 31, 32, 81 and 104 and the President has appointed as a new conference committee Senators Gronvold, Williams and Lavik.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker resumed the chair.

**REPORT OF HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

And find the same correctly re-engrossed.

HERMAN JUST, JR.,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

And find the same correctly enrolled.

HERMAN JUST, JR.,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

**EIGHTH ORDER OF BUSINESS**

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Also,

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Du-

ties of States Attorneys and Peace Officers; and Declaring and Emergency.

And the Speaker signed the same in the presence of the House.

### SEVENTH ORDER OF BUSINESS

#### HOUSE CONCURRENT RESOLUTION "A-2"

Introduced by Representative Schauss

Concurrent Resolution for the Payment of the Bill of Joseph Coghlan as Legislative Expense.

Be It Resolved by the House of Representatives of the Legislative Assembly of the State of North Dakota, the Senate Concurring:

That the bill of Joseph Coghlan in the sum of Fifty-eight (\$58.00) Dollars be allowed and paid to him for the work done by him in enrolling and engrossing for the legislature before such work was taken over by the House and Senate.

Was read the first time.

Mr. Godwin moved that the rules be suspended and House Concurrent Resolution A-2 be placed on second reading and final passage, which motion prevailed.

The Speaker called Mr. Wolf to the chair.

#### ROLL CALL

The question being on the final passage of House Concurrent Resolution "A-2", the roll was called and there were ayes, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Renville
Anderson	Holmquist	Peterson, Richland
Anfinson	Holthusen	Pewe
Beggs	Huseby	Rait
Benno	Ireland	Ritter
Biberdorf	Jensen	Sand
Bieloh	Johnson	Sandness
Billigmeier	Jones	Saumur
Bjornson	Jury	Savre
Black	Just	Schimke
Blair	Kapaun	Seibel
Brown	Knudson, Steele	Semerad
Burgum	Krank	Shure, Cass
Byrne	Kraus	Shurr, Bottineau
Caddell	Levin	Solberg
Dalzell	Livingston	Sticka
Day	McIntee	Stray
Dullea	Magill	Symington
Dittmer	Morland	Thompson
Fitch	Morris	Thoreson
Frazier	Myers	Trydahl

Messrs.	Messrs.	Messrs.
Freitag	Niewoehner	Tweten
Frosaker	Nelson, Cass	Twichell
Gessner	Norheim	Urschel
Gilberg	Obach	Wendland
Godwin	O'Brien	White
Goodlaxon	Odegard	Wick
Graham	Olson, Adams	Williams
Greiser	Olson, Bowman	Wolf
Hagen	Page	Mr. Speaker
Haines		

## Absent and not voting:

Akland	LaBerge	Olson, Sargent
Beasley	Langford	Peterson, Bot'neau
Beaton	Leum	Schauss
Brusseau	McInnes	Severson
Frey	Nelson, Sargent	Traynor
Hofstrand	Olson, McLean	Treffry
Hultstrand	Oglesby	Tuff
Knutson, LaMoure		

So the resolution was adopted.

The Speaker appointed as a conference committee on Senate Bill No. 255 Representatives Morris, Greiser and Twichell.

The Speaker appointed as a conference committee on House Bill No. 360 Representatives Jensen, O'Brien and Schimke.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolutions:

SENATE CONCURRENT RESOLUTION "A-1".

Also,

SENATE CONCURRENT RESOLUTION "A-3".

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to adopt the report of the conference

committee on House Bill No. 360 and the Speaker has appointed as a new conference committee Representatives Jensen, O'Brien and Schimke.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION "A-2".

Which the House has passed and your favorable consideration is respectfully recommended.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Which the Senate has amended as shown on page 1314 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Traynor moved that the House consider the Senate amendments to House Bill No. 46, section by section.

Which motion prevailed.

Mr. Traynor moved that the House concur in the Senate amendments to subdivision 1.

Which motion prevailed.

Mr. Symington moved that the House concur in the Senate amendments to subdivision 3.

Which motion prevailed.

Mr. Traynor moved that the House do not concur in the Senate amendments to subdivision 10.

Mr. Beggs offered a substitute motion that the House do concur in the Senate amendments to subdivision 10.

Which motion prevailed.

Mr. Peterson of Renville moved that the House do not concur in the Senate amendments to subdivision 11.

Which motion prevailed.

Mr. Levin moved that the House concur in the Senate amendments to subdivision 14.

Which motion prevailed.

Mr. Godwin moved that the House concur in the Senate amendments to subdivision 15.

Which motion prevailed.

Mr. Thoreson moved that the House concur in the Senate amendments to subdivision 17.

Which motion prevailed.

Mr. Godwin moved that the House concur in the Senate amendments to subdivision 18.

Which motion prevailed.

Mr. Symington moved that the House concur in the Senate amendments to subdivision 19.

Mr. Peterson of Renville offered as a substitute motion that the House do not concur in the Senate amendments to subdivision 19.

Which motion prevailed.

Mr. Niewoehner moved that the House concur in the Senate amendments to subdivision 24.

Which motion prevailed.

Mr. Olson of Adams moved that the House concur in the Senate amendments to subdivision 26.

Which motion prevailed.

Mr. Traynor moved that the House concur in the Senate amendments to subdivision 28.

Which motion prevailed.

Mr. Godwin moved that the House concur in the Senate amendments to subdivision 29.

Which motion prevailed.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 46, with the exception of the Senate amendments to subdivisions 11 and 19, and that a



conference committee be appointed to act with a like committee from the Senate on subdivisions 11 and 19 of House Bill No. 46.

Which motion prevailed.

The Speaker appointed as a conference committee on House Bill No. 46, Representatives Olson, Byrne and Freitag.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to request the return of House Bill No. 297 messaged to the House in error.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 70 and the President has appointed as a Conference Committee, Senators Olson, McGillic and Etestad.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Solberg moved that a conference committee be appointed to act with the committee from the Senate on Senate Bill No. 70, which motion prevailed, and the Speaker appointed to such conference committee Representatives Jensen, Kapaun and Gilberg.

#### SEVENTH ORDER OF BUSINESS

##### SENATE CONCURRENT RESOLUTION "A-1"

Introduced by Senator Cain.

Was read.

Mr. Frazier moved that the House adopt Senate Concurrent Resolution "A-1", which motion prevailed and the Resolution was adopted.

##### SENATE RESOLUTION "A-3".

Introduced by Senators Coffey and Cain.

Was read.

Mr. O'Brien moved that Senate Concurrent Resolution "A-3" be adopted.

Which motion prevailed.

Mr. Godwin moved that the House reconsider the action by which it concurred in the Senate amendments to subdivision 24 of House Bill No. 46, which motion prevailed.

Mr. Godwin moved that the House do not concur in the Senate amendments to subdivision 24 of House Bill No. 46 and that the same conference committee appointed to act on subdivision 11 and 19 of House Bill No. 46 also act on subdivision 24. The motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments in subdivision 11, 19 and 24 to House Bill No. 46, and the Speaker has appointed as a conference committee, Representatives Olson of Adams, Byrne and Freitag.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Which the Senate has amended as shown on page 1233 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Frazier moved that the House do not concur in the Senate amendments to House Bill No. 150 and that a conference committee be appointed to act with a like committee from the Senate, which motion prevailed, and the Speaker appointed as such conference committee Representatives Jensen, McIntee and Black.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the action by which the House

refused to concur in the Senate amendments to House Bill No. 150 and by which the conference committee was appointed be reconsidered.

Which motion prevailed.

Mr. Godwin moved that the House do concur in the Senate amendments to House Bill No. 150.

Which motion prevailed.

Mr. Godwin moved that the House recess until 8:00 P. M.  
Which motion prevailed.

#### AFTER RECESS

The House convened at 8:00 P. M., pursuant to recess, Speaker Dahl presiding.

#### SIXTH ORDER OF BUSINESS

##### REPORTS OF STANDING COMMITTEES

The Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104 made the following report.

Mr. Speaker: Your Conference Committee to whom was referred Senate Bills No. 29, 30, 31, 32, 81 and 104, have had the same under consideration and report that they cannot agree and ask to be discharged.

For the Senate:

F. T. GRONVOLD  
A. N. LAVIK  
HENRY WILLIAMS.

For the House:

JOHN J. ADAM  
CALVIN SCHIMKE  
MANDUS HULTSTRAND.

Mr. Wolf moved that the report be adopted, the committee discharged, and a new conference committee appointed, which motion prevailed, and the Speaker appointed on such conference committee Representatives Beggs, Traynor and Akland.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104 and the Speaker has appointed as a new Conference Committee Representatives Beggs, Akland and Traynor.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

**REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Solberg 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 150 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Richland
Anfinson	Holmquist	Pewe
Anderson	Hultstrand	Rait
Beasley	Huseby	Ritter
Beaton	Johnson	Sand
Beggs	Jury	Sandness
Benno	Just	Saumur
Biberdorf	Knutson, LaMoure	Savre
Bieloh	Krank	Seibel
Billigmeier	Kraus	Semerad
Black	LaBerge	Severson
Brown	Leum	Shure, Cass
Burgum	Levin	Shurr, Bottineau
Byrne	Livingston	Solberg
Caddell	McInnes	Sticka
Dalzell	McIntee	Stray
Day	Magill	Symington
Dullea	Morland	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Treffry
Freitag	Norheim	Trydahl
Frey	Obach	Tuff
Frosaker	O'Brien	Tweten
Gessner	Odegard	Twichell
Godwin	Oglesby	Urschel
Goodlaxon	Olson, Adams	Wendland
Graham	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Hagen	Page	Williams
Haines	Peterson, Bot'neau	Wolf
Hofstrand	Peterson, Renville	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Ireland	Nelson, Cass
Bjornson	Jensen	Nelson, Sargent
Blair	Jones	Olson, Sargent
Brusseau	Kapaun	Schauss
Dittmer	Knudson, Steele	Schimke
Gilberg	Langford	Traynor
Holthusen	Morris	

So the bill passed and the title was agreed to.

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MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 150.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Which the Senate has amended as shown on page 1464 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 253, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 253 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Jensen	Rait
Beasley	Johnson	Ritter
Beaton	Jones	Sand
Beggs	Jury	Sandness
Benno	Just	Saumur

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Biberdorf	Knudson, Steele	Savre
Bieloh	Knutson, LaMoure	Schimke
Billigmeier	Krank	Seibel
Black	Kraus	Semerad
Blair	Leum	Severson
Brown	Levin	Shure, Cass
Burgum	LaBerge	Shurr, Bottineau
Byrne	Langford	Solberg
Caddell	Livingston	Sticka
Dalzell	McInnes	Stray
Day	McIntee	Symington
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Frazier	Morris	Traynor
Frey	Myers	Treffry
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Godwin	Norheim	Twichell
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Greiser	Odegard	White
Hagen	Oglesby	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist	Peterson, Renville	

Those voting in the negative were:

**Messrs.**  
Olson, McLean

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Akland	Gilberg	Olson, Adams
Bjornson	Holthusen	Olson, Sargent
Brusseau	Ireland	Schauss
Dittmer	Kapaun	Trydahl
Freitag	Nelson, Sargent	

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 253.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

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MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 46 Senators Lemke, Watt and Nelson of Grand Forks.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 360 Senators Blaisdell, Aasen and Streibel.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Also,

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Also,

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Also,



Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Also,

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Also,

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Also,

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

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Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-

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enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION "356"

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Speaker appointed as a Conference Committee on Senate Bill No. 62, Representatives White, Byrne and Schauss.

SIXTH ORDER OF BUSINESS

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 255 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 255. A Bill for an Act Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
MELVIN P. JOHNSON,  
C. C. MORRISON,  
WM. J. LOWE.

For the House:  
L. L. TWICHELL,  
ROB. GREISER,  
H. J. MORRIS.

Mr. Wolf moved that the House adopte the report of the conference committee on Senate Bill No. 255, and that the committee be discharged.

Which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104, and the President has appointed as a new Conference Committee, Senators Fowler, Lavik and Lowe.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that House Bill No. 59, messaged to you as passed unchanged was amended as shown on page 1439 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Page moved that the House concur in the Senate amendments to House Mill No. 59.

Which motion prevailed.

Mr. Schauss moved that the rules be suspended and that House Bill No. 59 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Johnson	Pewe
Anfinson	Jones	Rait
Beasley	Jury	Ritter
Beaton	Just	Sand
Beggs	Knudson, Steele	Sandness
Benno	Knutson, LaMoure	Saumur
Biberdorf	Krank	Savre
Billigmeier	Kraus	Schimke
Bjornson	LaBerge	Seibel
Black	Leum	Semerad
Blair	Levin	Severson
Brown	Livingston	Shure, Cass
Burgum	McIntee	Shurr, Bottineau
Caddell	Magill	Solberg
Dalzell	Morland	Sticka
Day	Morris	Stray
Dullea	Myers	Symington
Fitch	Niewoehner	Thompson
Frazier	Nelson, Cass	Thoreson
Freitag	Norheim	Traynor
Frosaker	Obach	Treffry
Gessner	O'Brien	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Graham	Olson, Bowman	Twichell
Greiser	Olson, McLean	Urschel
Hofstrand	Page	Wendland
Holm	Peterson, Bot'neau	Wick
Holmquist	Peterson, Renville	Williams
Huseby	Peterson, Richland	Mr. Speaker
Ireland		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bieloh	Hultstrand	Wolf
Haines		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Gilberg	McInnes
Akland	Hagen	Nelson, Sargent
Brusseau	Holthusen	Olson, Adams
Byrne	Jensen	Olson, Sargent
Dittmer	Kapaun	Schauss
Frey	Langford	White

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 59.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the

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Senate has adopted the report of the Conference Committee on Senate Bill No. 255.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Which the Senate has amended as shown on page 1363 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Peterson of Renville moved that the House concur in the Senate amendments to House Bill No. 168.

Which motion prevailed.

Mr. Niewoehner moved that the rules be suspended and that House Bill No. 168 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 95; nays, 3; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Ireland	Pewe
Anfinson	Johnson	Rait
Beasley	Jones	Sand
Beaton	Jury	Sandness
Benno	Just	Saumur
Biberdorf	Knudson, Steele	Savre
Bieloh	Knutson, LaMoure	Schauss
Billigmeier	Krank	Seibel



<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bjornson	Kraus	Semerad
Black	Leum	Severson
Blair	Levin	Shure, Cass
Brown	Livingston	Shurr, Bottineau
Burgum	McInnes	Solberg
Caddell	McIntee	Sticka
Dalzell	Magill	Stray
Day	Morland	Symington
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Niewoehner	Traynor
Frey	Nelson, Cass	Treffry
Frosaker	Norheim	Trydahl
Gessner	Obach	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Hagen	Olson, Bowman	Wendland
Haines	Olson, McLean	White
Hofstrand	Olson, Sargent	Wick
Holm	Page	Williams
Holmquist	Peterson, Bot'neau	Wolf
Hultstrand	Peterson, Renville	Mr. Speaker
Huseby	Peterson, Richland	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Frazier	Greiser	Ritter

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Freitag	LaBerge
Akland	Gilberg	Langford
Beggs	Holthusen	Nelson, Sargent
Brusseau	Jensen	Olson, Adams
Byrne	Kapaun	Schimke

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 168.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating

to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies and Air Transportation Companies, Providing for the Allocation of the Tax to the State of North Dakota, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

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**MESSAGE FROM THE SENATE**

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Which the Senate has amended as shown on page 1319 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Bieloh moved that the House concur in the Senate amendments to House Bill No. 270.

Mr. Saumur offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 270, and that a conference committee be appointed to act with a like committee from the Senate, which motion prevailed, and the Speaker appointed to such committee Representatives Wolf, Kapaun and Kraus.

**MESSAGE TO THE SENATE**

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bill No. 270, and the Speaker has appointed as a Conference Committee Representatives Wolf, Kapaun and Kraus.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

**REPORT OF STANDING COMMITTEE**

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Provid-

ing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Was delivered to the Governor for his approval at the hour of 9:10 o'clock P. M., March 5, 1935.

L. R. BURGUM,  
Vice-Chairman.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills and resolution:

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Also,

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent

Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Also,

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Also,

## SENATE CONCURRENT RESOLUTION "O".

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Also,

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Also,

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized

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Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

Also,

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE GOVERNOR  
OFFICE OF THE GOVERNOR  
Bismarck

March 5, 1937.

To the Members of the House of Representatives, Twenty-fifth Legislative Assembly.

Members of the House:

I am herewith returning House Bill No. 223, which I have partially disapproved—An Act Making an Appropriation for the Payment of the Expense to Be Incurred by the Boys' and Girls' Club Work at State and District Fairs.

In returning this bill I am reducing the appropriation in the amount of \$1,500.00 for the year 1937, and the sum of \$1,500.00 for the year 1938.

I regret that these reductions have to be made, and they are hereby made for the reason that the State is short of funds with which to meet this appropriation.

Respectfully,

WILLIAM LANGER,  
Governor.



OFFICE OF THE GOVERNOR  
Bismarck

March 5, 1937.

Members of the House of Representatives,  
Twenty-fifth Legislative Assembly:

Members of the House:

I am returning House Bill No. 177, which I have partially disapproved—An Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing all the Livestock Brands Now of Record in his Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

This bill contains an item in the sum of \$750.00 for a loan from the First National Bank of Killdeer.

I am partially disapproving this bill for two reasons: First, that I believe it is a bad precedent to borrow money and then after the money is spent ask the State to make good the note to the Bank; and for the second reason that the State is without sufficient funds on hand to allow this appropriation.

Therefore, the item in the sum of \$750.00, payable to the First National Bank of Killdeer, is disallowed, and the appropriation reduced from the sum of \$2,500.00 to the sum of \$1,750.00 is hereby approved.

Respectfully,

WILLIAM LANGER,  
Governor.

## SIXTH ORDER OF BUSINESS

## REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 125 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization

of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Have had the same under consideration and recommend:

That the House concur in all of the Senate amendments to said bill as shown in the Senate Journal of March 4, 1937, at page 1493, except the Senate amendment to Section 33 of the bill, and as to said amendment that the amount of \$50,000 fixed by the Senate amendment be changed and increased to the sum of \$112,500.

For the Senate:

A. W. FOWLER  
J. K. BROSTUEN  
JAMES W. GUTHRIE

For the House:

JOE D. BYRNE  
H. J. MORRIS  
OSCAR W. HAGEN

Mr. Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 125 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### 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, 87; nays, 10; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holmquist	Peterson, Renville
Anfinson	Hultstrand	Peterson, Richland
Beasley	Huseby	Pewe
Beaton	Ireland	Rait
Beggs	Johnson	Ritter
Benno	Jones	Sand
Biberdorf	Jury	Sandness
Bieloh	Just	Saumur
Billigmeier	Knudson, Steele	Schauss
Bjornson	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Brown	Kraus	Semerad
Burgum	Leum	Severson
Byrne	Levin	Shure, Cass
Caddell	Livingston	Solberg
Day	McInnes	Sticka
Dittmer	McIntee	Stray
Dullea	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Traynor
Frosaker	Niewoehner	Treffry
Godwin	Nelson, Cass	Tuff
Goodlaxon	Obach	Tweten
Graham	O'Brien	Urschel
Greiser	Odegard	Wendland
Hagen	Olson, Bowman	White
Haines	Olson, McLean	Wick
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Oglesby	Symington
Dalzell	Olson, Sargent	Trydahl
Magill	Savre	Williams
Norheim		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Gilberg	Langford
Akland	Holthusen	Nelson, Sargent
Brusseau	Jensen	Olson, Adams
Fitch	Kapaun	Shurr, Bottineau
Frey	LaBerge	Twichell
Gessner		

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Hagen moved that the vote by which House Bill No. 125 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Magill: I am voting "no" on this bill because I expected to get some information from the question of Representative Jones, but that was given privately to Mr. Jones, and not to the House, so I don't know any more about this bill than I did to begin with.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 125.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

The Speaker appointed to take Representative Akland's place on the conference committee on Senate Bills No. 29, 30, 31, 32, 81 and 104, Representative Symington.

The Speaker appointed Representative Schauss to take Representative Jensen's place on the conference committee on House Bill No. 360.

#### PETITIONS AND COMMUNICATIONS

Communication from Mrs. K. A. Griffin and Emmett W. Griffin in appreciation of courtesies extended by the House of Representatives.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or

Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Which the Senate has amended as shown on page 1168 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Schauss moved that the House concur in the Senate amends to House Bill No. 106.

Which motion prevailed.

Mr. Schauss moved that the rules be suspended and that House Bill No. 106 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Richland
Anderson	Ireland	Pewe
Anfinson	Johnson	Rait
Beasley	Jones	Ritter
Beaton	Jury	Sand
Benno	Just	Sandness
Biberdorf	Knudson, Steele	Saumur
Bieloh	Knutson, LaMoure	Savre
Black	Krank	Seibel
Brown	Kraus	Semerad
Burgum	Leum	Severson
Byrne	Livingston	Shure, Cass
Caddell	McIntee	Solberg
Dalzell	Magill	Stray
Day	Morland	Thompson
Dittmer	Morris	Thoreson
Dullea	Myers	Treffry
Freitag	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Obach	Tweten
Godwin	Odegard	Twichell
Goodlaxon	Oglesby	Urschel
Graham	Olson, Bowman	Wendland
Greiser	Olson, McLean	White
Hagen	Olson, Sargent	Wick
Haines	Page	Williams
Hofstrand	Peterson, Bot'neau	Wolf
Holm	Peterson, Renville	Mr. Speaker
Holmquist		

## Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Norheim
Beggs	Huseby	O'Brien
Billigmeier	Jensen	Olson, Adams
Bjornson	Kapaun	Schauss
Blair	LaBerge	Schimke
Brusseau	Langford	Shurr, Bottineau
Fitch	Levin	Sticka
Frazier	McInnes	Symington
Frey	Nelson, Sargent	Traynor
Gilberg		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 106.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Which the Senate has amended as shown on page 445 and page 1279 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 78.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 78 be considered properly re-engrossed and placed on second reading and final passage.

A division was called for and the motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 67; nays, 21; absent and not voting, 25; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hofstrand	Peterson, Renville
Anfinson	Holm	Peterson, Richland
Beasley	Huseby	Ritter
Beaton	Ireland	Sand
Benno	Johnson	Sandness
Bjornson	Jones	Saumur
Black	Jury	Savre
Burgum	Just	Seibel
Brown	Knudson, Steele	Shure, Cass
Byrne	Kraus	Shurr, Bottineau
Caddell	Leum	Solberg
Day	Livingston	Thompson
Dittmer	Magill	Thoreson
Dullea	Morris	Treffry
Fitch	Myers	Trydahl
Frey	Niewoehner	Tweten
Frosaker	Nelson, Cass	Twichell
Gessner	Odegard	Urschel
Godwin	Olson, Bowman	Wendland
Goodlaxon	Olson, Sargent	White
Graham	Page	Wick
Haines	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Biberdorf	Krank	Semerad
Bieloh	Levin	Severson
Billigmeier	McIntee	Sticka
Dalzell	Morland	Stray
Frazier	Obach	Tuff
Holmquist	Oglesby	Williams
Knutson, LaMoure	Pewe	Wolf

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	O'Brien
Anderson	Jensen	Olson, Adams
Beggs	Kapaun	Olson, McLean
Blair	LaBerge	Rait
Brusseau	Langford	Schauss
Freitag	McInnes	Schimke
Gilberg	Nelson, Sargent	Symington
Hagen	Norheim	Traynor
Holthusen		

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Passed:

Messrs.  
Greiser

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Ritter: I vote "aye" for the purpose of reconsideration.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 78.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 40.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Which the Senate has amended as shown on page 1514 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.



Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 333.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 333 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Benno	Johnson	Sand
Biberdorf	Jones	Sandness
Bieloh	Just	Saumur
Billigmeier	Knudson, Steele	Savre
Bjornson	Knutson, LaMoure	Schauss
Black	Krank	Seibel
Blair	Kraus	Semerad
Brown	Leum	Severson
Burgum	Levin	Shure, Cass
Byrne	Livingston	Shurr, Bottineau
Caddell	McIntee	Solberg
Dalzell	Magill	Sticka
Day	Morland	Stray
Dittmer	Morris	Thompson
Dullea	Myers	Thoreson
Fitch	Niewoehner	Trydahl
Frazier	Nelson, Cass	Tuff
Frey	Norheim	Tweten
Frosaker	Obach	Twichell
Gessner	Odegard	Urschel
Godwin	Oglesby	Wendland
Goodlaxon	Olson, Bowman	White
Greiser	Olson, McLean	Wick
Haines	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Traynor	Nelson, Sargent
Beaton	Ireland	O'Brien
Beggs	Jensen	Olson, Adams
Brusseau	Jury	Ritter
Freitag	Kapaun	Schimke
Gilberg	LaBerge	Symington
Graham	Langford	Treffry
Hagen	McInnes	

FRIDAY, MARCH 5, 1937

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So the bill passed and the title was agreed to. The emergency clause was declared carried.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 333.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Which the Senate has amended as shown on page 1163 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 217.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 217 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Peterson, Renville
Anderson	Huseby	Peterson, Richland
Anfinson	Johnson	Pewe
Benno	Jones	Rait
Biberdorf	Just	Sand
Bieloh	Knutson, LaMoure	Sandness
Billigmeier	Krank	Saumur
Bjornson	Kraus	Savre
Black	LaBerge	Seibel
Blair	Leum	Semerad
Brown	Levin	Severson
Burgum	Livingston	Shure, Cass
Byrne	McIntee	Shurr, Bottineau
Caddell	Magill	Solberg
Dalzell	Morland	Sticka
Day	Morris	Stray
Dittmer	Myers	Thompson
Dullea	Niewoehner	Thoreson
Frazier	Nelson, Cass	Treffry
Freitag	Norheim	Trydahl
Frey	Obach	Tuff
Frosaker	Odegard	Tweten
Godwin	Oglesby	Twichell
Goodlaxon	Olson, Adams	White
Greiser	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holthusen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Holmquist	O'Brien
Beasley	Ireland	Olson, Sargent
Beaton	Jensen	Ritter
Beggs	Jury	Schauss
Brusseau	Kapaun	Schimke
Fitch	Knudson, Steele	Symington
Gessner	Langford	Traynor
Gilberg	McInnes	Urschel
Graham	Nelson, Sargent	Wendland
Hagen		

So the bill passed and the title was agreed to.

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MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 217.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 270, Senators Young, Owing and Johnson.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that Representative Burgum be given the courtesy of the rostrum.

Which motion prevailed.

On behalf of the members and employees of the House of Representatives, Representative Burgum presented a gift to Speaker Dahl.

Mr. Godwin moved that the House be on the Eighth Order of Business, and that at the completion of such business the House stand recessed until 11:15 P. M.

Which motion prevailed.

EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies,

Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.  
Appropriations.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions

as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

HOUSE CONCURRENT RESOLUTION "V".

Also,

HOUSE CONCURRENT RESOLUTION "A-1".

Also,

HOUSE CONCURRENT RESOLUTION "M".

Also,

HOUSE CONCURRENT RESOLUTION "E".

And the Speaker signed the same in the presence of the House.

The House recessed.

#### AFTER RECESS ,

The House convened at 11:15 P. M., pursuant to recess, Speaker Dahl presiding.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

House Bill No. 304. A Bill for an Act to Provide for the

Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies, Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Also,

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Dam-



aged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following resolutions.

HOUSE CONCURRENT RESOLUTION "V".

Also,

HOUSE CONCURRENT RESOLUTION "E".

Also,

HOUSE CONCURRENT RESOLUTION "A-1".

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 45. A Bill for an Act Making an Appro-

priation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Also,

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

SENATE CONCURRENT RESOLUTION "A-1"

Also,

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Also,

SENATE CONCURRENT RESOLUTION "P"

Also,

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Also,

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "Y"

Also,

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

FIFTH ORDER OF BUSINESS

REPORT OF COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 346. A Bill for an Act to Provide for the Incorporation of Cooperative, Non-Profit, Membership Corporations to Engage in Rural Electrification by Furnishing Electric Energy to Persons in Rural Areas Who Are Not Receiving Central Station Service, Assisting in the Wiring of Premises of Persons in Rural Areas or the Acquisition, Supply or Installation of Electrical or Plumbing Equipment Therein, and/or Furnishing Electric Energy, Wiring Facil-

ities, Electrical or Plumbing Equipment, or Services to Any Other Corporation Organized Under This Act or to the Members Thereof; to Provide for the Rights, Powers and Duties of Such Corporations, Including the Right to Use the Highways and Other Property of the State and to Exercise the Power of Eminent Domain; to Provide for the Creation of Corporate Indebtedness by Such Corporations Without Limitation as to Amount or Proportion Thereof; to Provide an Exemption of Such Corporations from Certain Excise Taxes; to Provide a Limited Exemption of Such Corporations, and the Securities of Such Corporations, from the Securities Commission Act; to Provide for the Extension of This Act to Existing Corporations; and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 59. A Bill for an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 346. A Bill for an Act to Provide for the Incorporation of Cooperative, Non-Profit, Membership Corporations to Engage in Rural Electrification by Furnishing Electric Energy to Persons in Rural Areas Who Are Not Receiving Central Station Service, Assisting in the Wiring of Premises of Persons in Rural Areas or the Acquisition, Supply or Installation of Electrical or Plumbing Equipment Therein, and/or Furnishing Electric Energy, Wiring Facilities, Electrical or Plumbing Equipment, or Services to Any Other Corporation Organized Under This Act or to the Members Thereof; to Provide for the Rights, Powers and Duties of Such Corporations, Including the Right to Use the Highways and Other Property of the State and to Exercise the Power of Eminent Domain; to Provide for the Creation of

Corporate Indebtedness by Such Corporations Without Limitation as to Amount or Proportion Thereof; to Provide an Exemption of Such Corporations from Certain Excise Taxes; to Provide a Limited Exemption of Such Corporations, and the Securities of Such Corporations, from the Securities Commission Act; to Provide for the Extension of This Act to Existing Corporations; and Declaring an Emergency.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 70 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Have had the same under consideration and recommend:

1. In Sub-section 2 of Section 2, line 5, page 1591 of the House Journal, after the word "the" insert the word "record".
2. At the end of sub-section 2, Section 2, page 1591 of the House Journal after the period add the following: "Provided, however, that no deduction for loss sustained from any farm-

ing or agricultural pursuit as provided in this section shall exceed the total sum of \$500.00".

3. At the bottom of page 1592 of the House Journal strike out Section 2346a25 and insert the following:

"Section 2346a25. ANNUAL TAX.) A tax is hereby levied for the year ending December 31, 1936, and annually thereafter upon the net income of every domestic and foreign corporation received from sources described in Article 2, Sections 7 and 8. Said tax, which shall be levied, collected, and paid annually with respect to such net income, shall be computed at the following rates:

On all net incomes not in excess of \$1,000.00 a tax of 3%.

On all net incomes in excess of \$1,000.00 and not in excess of \$3,000.00 a tax of 4%.

On net incomes in excess of \$3,000.00 and not in excess of \$8,000.00 a tax of 5%.

On net incomes in excess of \$8,000.00 and not in excess of \$15,000.00 a tax of 6%.

On net incomes in excess of \$15,000.00 a tax of 7½%".

For the Senate:

AXEL OLSON,  
OLE ETTESTAD,  
J. S. MCGILLIC.

For the House:

N. P. JENSEN,  
A. J. KAPAUN,  
C. P. GILBERG.

Mr. Jensen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved to correct the report to read Senate Bill No. 70 instead of House Bill No. 70, which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 70 be placed on second reading and final passage.

Which motion prevailed.

#### 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, 81; nays, 19; absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holmquist	Olson, McLean
Anfinson	Holthusen	Peterson, Bot'neau
Beaton	Hultstrand	Peterson, Renville
Beggs	Huseby	Peterson, Richland
Benno	Ireland	Pewe
Biberdorf	Jensen	Rait
Bieloh	Jones	Sandness

Messrs.	Messrs.	Messrs.
Billigmeier	Just	Savre
Bjornson	Kapaun	Schimke
Black	Knudson, Steele	Seibel
Brown	Knutson, LaMoure	Severson
Burgum	Krank	Shurr, Bottineau
Byrne	LaBerge	Solberg
Caddell	Leum	Sticka
Dalzell	Livingston	Stray
Day	McInnes	Thompson
Dittmer	McIntee	Thoreson
Frazier	Morland	Treffry
Freitag	Myers	Trydahl
Gilberg	Niewoehner	Tuff
Godwin	Nelson, Cass	Tweten
Goodlaxon	Obach	Urschel
Graham	O'Brien	Wendland
Hagen	Odegard	Wick
Haines	Oglesby	Williams
Hofstrand	Olson, Adams	Wolf
Holm	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Blair	Jury	Page
Dullea	Kraus	Saumur
Fitch	Magill	Shure, Cass
Frey	Morris	Symington
Frosaker	Norheim	Traynor
Gessner	Olson, Sargent	Twichell
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Langford	Sand
Akland	Levin	Schauss
Beasley	Nelson, Sargent	Semerad
Brusseau	Ritter	White
Greiser		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House request the return of Senate Bill No. 66 from the Senate.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to request the return of Senate Bill No. 66.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.



## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## SIXTH ORDER OF BUSINESS

## REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Concurrent Resolution "H" made the following report:

Mr. Speaker: Your Conference Committee on Senate Concurrent Resolution "H" to whom was referred:

SENATE CONCURRENT RESOLUTION "H", a Concurrent Resolution providing for the amendment of Article 48 of the Constitution of North Dakota.

Have had the same under consideration and recommend:

That the Senate concur in the House amendments of Senate Concurrent Resolution "H" except in lines 7 and 10 of Section 173, House Concurrent Resolution "H".

And this Committee recommends that in line 7, Section 173, the House amendment of 15,000 be struck out and that

the words and figures, twelve thousand (12,000) be inserted in lieu thereof. And in line 10, the words and figures, 9,000, as amended by the House be struck out and the words and figures six thousand (6,000) be inserted in lieu thereof; and when so amended recommend the adoption of same.

For the Senate:

WM. A. THATCHER  
W. J. TROUT  
ED. LIAN

For the House:

GUS A. SCHAUSS  
H. J. MORRIS  
C. P. GILBERG

Mr. Frazier moved that the report of the conference committee on Senate Concurrent Resolution "H" be adopted.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Concurrent Resolution "H" be placed on Second Reading and Final Passage.

Which motion prevailed.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "H", as amended by the conference committee, the roll was called and there were ayes, 78; nays, 23; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Peterson, Bot'neau
Beaton	Jury	Peterson, Renville
Benno	Just	Peterson, Richland
Biberdorf	Kapaun	Pewe
Bieloh	Knudson, Steele	Rait
Billigmeier	Knutson, LaMoure	Sandness
Bjornson	Krank	Saumur
Blair	Kraus	Savre
Brown	LaBerge	Schimke
Burgum	Leum	Seibel
Caddell	Livingston	Severson
Dullea	McInnes	Shure, Cass
Fitch	McIntee	Shurr, Bottineau
Frazier	Magill	Sticka
Frey	Morland	Stray
Frosaker	Morris	Thompson
Gessner	Myers	Thoreson
Gilberg	Niewoehner	Traynor
Godwin	Nelson, Cass	Treffry
Goodlaxon	Obach	Trydahl
Haines	O'Brien	Tuff

Messrs.	Messrs.	Messrs.
Holm	Odegard	Twichell
Holthusen	Olson, Adams	Urschel
Hultstrand	Olson, Bowman	Wendland
Huseby	Olson, Sargent	Wolf
Jensen	Page	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Graham	Ritter
Beasley	Greiser	Semerad
Black	Hagen	Solberg
Byrne	Hofstrand	Tweten
Dalzell	Holmquist	White
Day	Ireland	Wick
Dittmer	Jones	Williams
Freitag	Olson, McLean	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Langford	Oglesby
Akland	Levin	Sand
Beggs	Nelson, Sargent	Schauss
Brusseau	Norheim	Symington

So the Resolution was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 46.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Shamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Concurrent Resolution "H".

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 46 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Have had the same under consideration and recommend:

1. The House accepts the Senate amendments on Subdivision 11, but correct the "TOTAL" in line 171 to read \$17,473.00 in place of \$19,473.00.

2. In Subdivision 19, line 291, the Senate recedes and the amount is placed \$3800.00.

In line 292, the Senate recedes from its amendments and the amount is placed at \$3,000.00.

In line 293, the Senate recedes from its amendments and the amount is placed at \$4,560.00.

In line 299, the House accepts the Senate amendment. In the same line after the words "Travel Expense" add the following: "and car exchange".

In line 301 the total be corrected to read "\$17,685.00".

3. In subdivision 24, the Senate recedes from its amendment. In line 396 the amount should be fixed at "\$600.00".

4. In subdivision 24 correct total to read "\$5,559.00".

For the House:

O. C. OLSON,  
H. R. FREITAG,  
JOS D. BYRNE.

For the Senate:

B. W. LEMKE,  
WM. WATT,  
N. N. NELSON.

Mr. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the rules be suspended and that House Bill No. 46 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### 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, 88; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holmquist	Page
Anfinson	Holthusen	Peterson, Bot'neau
Beasley	Hultstrand	Peterson, Richland
Beaton	Huseby	Peterson, Renville
Beggs	Ireland	Pewe
Biberdorf	Jones	Rait
Bieloh	Jury	Ritter
Bjornson	Just	Sandness
Black	Kapaun	Savre
Brown	Knudson, Steele	Schauss
Burgum	Knutson, LaMoure	Schimke
Byrne	Krank	Semerad
Caddell	Levin	Severson
Dalzell	Livingston	Shure, Cass
Day	McInnes	Solberg
Dittmer	McIntee	Sticka
Frazier	Magill	Stray
Freitag	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Myers	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	O'Brien	Tweten
Goodlaxon	Odegard	Twichell
Graham	Oglesby	Urschel
Greiser	Olson, Adams	White
Hagen	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Hofstrand	Olson, Sargent	Mr. Speaker
Holm		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Johnson	Sand
Akland	Kraus	Saumur
Benno	LaBerge	Seibel
Billigmeier	Langford	Shurr, Bottineau
Blair	Leum	Symington
Brusseau	Nelson, Sargent	Traynor
Dullea	Norheim	Wendland
Fitch	Obach	Wolf
Jensen		

So the bill passed and the title was agreed to. The emergency clause was declared carried.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 66 in accordance with the request of the House for its return.

Very respectfully,

THOMAS McDONALD,  
Secretary.

The Speaker called Mr. Wolf to the chair.

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Provid-



ing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Which the Senate has amended as follows:

In line three (3) of the title of the engrossed bill, after the following figures "1933," ad the following language: "as Amended and Re-enacted by Chapter 98 of the Session Laws of the State of North Dakota for the Year 1935."

In line two (2), page two (2) of Section six (6) of the engrossed bill, after the word "time," strike out the semicolon and insert in lieu thereof a "commà" and add the following language: "such stamps shall be attached to each bottle or container and nothing herein shall be construed as authorizing or permitting stamps to be attached to a case or other container holding more than one bottle, keg or barrel filled with beer; providing further that a bottle, keg, barrel or container commonly referred to as a pint, quart, one-eighth barrel or keg, one-fourth barrel or keg shall, for the purpose of this Act, be assumed to contain sixteen ounces per pint, thirty-two ounces per quart, four gallons per one-eighth barrel or keg, container, for the purpose of computing the tax to be paid, even though such container actually contains less than the quantity designated by such terms."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved htat the House concur in the Senate amendments to House Bill No. 247.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that House Bill No. 247 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ays, 90; nays, 5; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Olson, Sargent
Anfinson	Hultstrand	Page
Beasley	Ireland	Peterson, Bot'neau
Beaton	Jensen	Peterson, Renville
Beggs	Johnson	Pewe
Biberdorf	Jones	Rait
Bieloh	Jury	Ritter
Bjornson	Just	Saumur
Black	Kapaun	Savre

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brown	Knudson, Steele	Schauss
Burgum	Knutson, LaMoure	Schimke
Byrne	Krank	Seibel
Caddell	Kraus	Severson
Dalzell	Leum	Shure, Cass
Dullea	Levin	Shurr, Bottineau
Fitch	Livingston	Solberg
Frazier	McInnes	Sticka
Frey	McIntee	Symington
Frosaker	Magill	Thompson
Gessner	Morland	Thoreson
Gilberg	Morris	Traynor
Godwin	Myers	Treffry
Goodlaxon	Niewoehner	Trydahl
Graham	Nelson, Cass	Tuff
Greiser	Obach	Tweten
Hagen	O'Brien	Twichell
Haines	Odegard	Urschel
Hofstrand	Olson, Adams	Wendland
Holm	Olson, Bowman	Wick
Holmquist	Olson, McLean	Wolf

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Oglesby	Semerad	Williams
Sandness	Stray	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Adam	Day	Nelson, Sargent
Akland	Dittmer	Norheim
Benno	Freitag	Peterson, Richland
Billigmeier	Huseby	Sand
Blair	LaBerge	White
Brusseau	Langford	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to return herewith the following bill and resolutions:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Also,

HOUSE CONCURRENT RESOLUTION "V".

Also,

HOUSE CONCURRENT RESOLUTION "E".

Also,

HOUSE CONCURRENT RESOLUTION "A-1".

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to return:

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has amended as follows:

Strike out the following amendment which appears on page 1363 of the Senate Journal:

On page 3 of the printed bill following line 41, insert:

"Section 2. ELECTION JUDGES AND CLERKS.) Each Judge of election hereafter named under the provisions of Chapter 136, Session Laws of 1937 shall appoint one clerk of election."

Also further amended as follows:

In the title of the bill, strike out everything after the word "Act" in line 1 and insert in lieu thereof the following: "Providing for the Election of Party Precinct Committeemen for a term of two years, and repealing all Acts or parts of Acts in conflict herewith."

Strike out all of Section 1, lines 1 through 41, renumber Sections 2 and 3 to read "Sections 1 and 2", and strike out all of Section 4.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 336.

Which motion prevailed.

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Mr. Godwin moved that action be deferred on House Bill No. 336.

Which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 70.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Which the Senate has amended as follows:

In line 3, Section 1 page 1 of the printed bill, immediately following the comma after the word "Governor", insert the following: "a member selected by the United States Bureau of Biological Survey,"

In line 5, Section 3, page 2 of the printed bill, immediately following the word "Governor", insert a comma and the following: "the member selected by the United States Bureau of Biological Survey".

In line 1, Section 8, page 4, of the printed bill, immediately following the period following the figure "8", strike out the entire Section beginning with the word "Repeal" and insert in lieu thereof the following: "Nothing herein contained shall repeal, amend, or modify any existing Acts or statutes pertaining to the appropriation or use of water, and nothing herein contained shall be deemed to interfere with any vested rights to the use of water."

Add the following Section: "Section 9. REPEAL.) All Acas, or parts of Acts, in conflict herewith are hereby repealed."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 341.

Which motion prevailed.

Mr. Godwin moved that action be deferred on House Bill No. 341.

Which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the Senate has amended as follows:

In line 3 of the printed bill, strike out the House amendment "\$246,306.00" and insert in lieu thereof \$268,071.00".

In line 12, of the printed bill, item "Salary Adjustments" strike out the figures "\$3,700.00" and insert in lieu thereof the figures "\$3,575.00".

After line 12, of the printed bill, add line 12½ item No. 5 and the following language and figures: "No. 5. Salary Adjustments, 1937-1939 \$1,690.00".

In line 26, of the printed bill, item "Clothing" strike out the House Amendment "\$15,000.00" and insert in lieu thereof "\$16,500.00".

In line 27 of the printed bill, item "Hospital and Medical Service" strike out the House amendment "\$8,000.00" and insert in lieu thereof "\$9,000.00".

In line 30 of the printed bill, item "Mtce. Autos, Tractors, Trucks" strike out the House amendment "\$3,500.00" and insert in lieu thereof "\$4,500.00".

In line 32 of the printed bill, item "Mtce. Farm and Shops" strike out the House amendment "\$14,000.00" and insert in lieu thereof "\$16,000.00".

In line 34 of the printed bill, item "Total Maintenance" strike out the House amendment "\$269,606.00" and insert in lieu thereof "\$280,371.00".

In line 36a, of the printed bill, item "Net Maintenance" strike out the House amendment "\$236,606.00" and insert in lieu thereof "\$247,371.00".

In line 38, under "Improvements and Repairs" item "General" strike out House Amendment "\$4,000.00" and insert in lieu thereof "\$5,000.00".

In line 47, under "Miscellaneous Items" insert item No. 2. State Bureau of Criminal Identification.....\$10,000.00".

Correct the total after "Total" by striking out the figures

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"\$246,306.00" and insert in lieu thereof the figures "\$268,071.00".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House concur in the Senate amendments to House Bill No. 40, which motion prevailed.

Mr. Godwin moved that action be deferred on House Bill No. 40, which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return:

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Which the Senate has amended as follows:

In line 2 of the title of the printed bill, after the word "Dealer," insert the following "Or an automobile or truck dealer."

In line 3 of the title, after the word "implements," insert the following "and automobiles or trucks or parts therefore".

In the last line of the title of the printed bill, after the word "machinery" change the period to a comma and add the following language: "or automobiles or trucks or repair parts for automobiles or trucks."

In line 3, Section 1, of the printed bill, after the word "implements," insert the following: "or automobiles or trucks or repair parts for automobiles or trucks."

In line 6, Section 1, of the printed bill, after the word "machinery," insert the following: "or automobiles or trucks or repair parts for automobiles or trucks."

In line 12, page 2, Section 1, of the printed bill, after the word "Stock," insert the following language: "and for all automobiles or trucks or repair parts for automobiles or trucks."

In line 2, Section 2, page 2, after the word "parts," insert the following language: "and automobiles, trucks or repair parts."

In line 3, Section 3, page 2, of the printed bill, after the word "implements," insert the following language: "or automobiles, trucks or repair parts therefor."

In line 7, Section 3, page 2, of the printed bill, after the word "implements," insert the following: "or automobiles or trucks or repair parts therefor."

In line 13, Section 3, page 2, of the printed bill, after the word "parts," insert the following: "or automobiles or trucks or repair parts therefor."

In line 16, Section 3, page 3, of the printed bill, after the word "parts," insert the following: "or automobiles or trucks or repair parts therefor."

In line 22, Section 3, page 3, of the printed bill, after the word "machinery," strike out the period and insert a comma in lieu thereof and insert the following language: "or automobiles or trucks or repair parts therefor."

In line 18, Section 3, page 3, after the word "parts," insert the following "or automobiles or trucks or parts therefor."

In line 3 of the title of the engrossed bill, after the word "CANCELLATION," insert the words "OR DISCONTINUATION."

In line 3 of Section 1, strike out the following words: "has heretofore or."

In line 7 of Section 1, after the word "cancel," insert the words "or discontinued."

In line 9 of Section 1, after the word "cancellation," insert the words "or discontinuation."

In line 9 of Section 1, after the word "retailer," insert the following language: "unless dealer should desire to keep such merchandise."

In line 13 of Section 1, after the word "cancellation," insert the words "or discontinuation."

In line 5, of Section 2, after the word "cancelled," strike out the comma and insert in lieu thereof "or discontinued."

In line 4, of Section 3, after the word "cancellation," insert the words "or discontinuation."

In line 7, of Section 3, strike out the words "has heretofore or may".

In line 13, of Section 3, after the word "cancellation," insert the words "or discontinuation."

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Peterson of Renville moved that the House concur in the Senate amendments to House Bill No 252.

Which motion prevailed.

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Mr. Peterson of Renville moved that action be deferred on House Bill No. 252.

Which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to return:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Which the Senate has amended as shown on page 1164 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Page moved that the House concur in the Senate amendments to House Bill No. 239.

Which motion prevailed.

Mr. Godwin moved that action be deferred on House Bill No. 239.

Which motion prevailed.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to return:

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Which the Senate has amended as follows:

In line 5, Section 1, of the engrossed bill, strike out the period after the word "bond" and insert in lieu thereof a comma and the following: "and also the cost of printing such bond".

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Page moved that the House concur in the Senate amendments to House Bill No. 334.

Which motion prevailed.



Mr. Godwin moved that action be deferred on House Bill No. 334.

Which motion prevailed.

Senate Chamber:  
Bismarck, North Dakota,  
March 5, 1937

Mr. Speaker: I have the honor to return:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has amended as shown on pages 1162 and 1310 of the Senate Journal.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Kapaun moved that the House concur in the Senate amendments to House Bill No. 126.

Which motion prevailed.

Mr. Frazier moved that action be deferred on House Bill No. 126.

Which motion prevailed.

## SIXTH ORDER OF BUSINESS

### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 360 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Have had the same under consideration and recommend the same be amended as follows:

On page 1390 of the Senate Journal in the first line of the title after the numeral "2", insert the following language: "of Chapter 166, Session Laws of 1929."

In Section 1, line 1, same page, after the numeral "2", insert the following language: "of Chapter 166, Session Laws of 1929."

For the Senate:

J. C. BLAISDELL, Jr.  
C. S. AASEN  
R. M. STREIBEL

For the House:

HARRY O'BRIEN  
GUS A. SCHAUSS  
CALVIN SCHIMKE

Mr. Schauss moved that the report be adopted.

Mr. Godwin offered as a substitute motion that the report of the conference committee be not adopted, that the committee be discharged, and that a new conference committee be appointed, which motion prevailed, and Representatives Caddell O'Brien and Traynor were appointed on such conference committee.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engross-

ment respectfully report that they have examined the following bill:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider the action by which Senate Bill No. 66 was indefinitely postponed.

Which motion prevailed.

Mr. Godwin moved that Senate Bill No. 66 be placed on the calendar.

Which motion prevailed.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 66 be placed on 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, 57; nays, 29; absent and not voting, 27.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anfinson	Johnson	Ritter
Beasley	Jury	Sand
Beaton	Just	Sandness
Beggs	Kapaun	Saumur
Benno	Knudson, Steele	Schauss
Burgum	Kraus	Schimke
Byrne	Livingston	Seibel
Caddell	McIntee	Shure, Cass
Day	Magill	Shurr, Bottineau

Messrs.	Messrs.	Messrs.
Fitch	Morris	Thoreson
Frazier	Myers	Traynor
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Gilberg	Odegard	Tuff
Godwin	Olson, Sargent	Tweten
Goodlaxon	Page	Twichell
Hofstrand	Peterson, Renville	Urschel
Holm	Peterson, Richland	White
Holthusen	Rait	Wolf

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Frey	Olson, Adams
Biberdorf	Graham	Olson, Bowman
Bieloh	Hagen	Pewe
Black	Holmquist	Savre
Blair	Jensen	Semerad
Brown	Krank	Severson
Dalzell	Morland	Sticka
Dittmer	Obach	Symington
Dullea	O'Brien	Williams
Freitag	Oglesby	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Norheim
Akland	Jones	Olson, McLean
Billigmeier	Knutson, LaMoure	Peterson, Bot'neau
Bjornson	LaBerge	Solberg
Brusseau	Langford	Stray
Greiser	Leum	Thompson
Haines	Levin	Wendland
Hultstrand	McInnes	Wick
Huseby	Nelson, Sargent	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Twichell moved that the vote by which Senate Bill No. 66 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker resumed the chair.

Mr. Godwin moved that the rules be suspended and that House Bill No. 239 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beasley	Huseby	Rait
Beaton	Jensen	Ritter
Beggs	Johnson	Sand
Benno	Jury	Sandness
Biberdorf	Just	Saumur
Bieloh	Kapaun	Schauss
Black	Knudson, Steele	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Burgum	LaBerge	Severson
Byrne	Livingston	Shure, Cass
Caddell	McInnes	Shurr, Bottineau
Dalzell	McIntee	Solberg
Day	Magill	Stray
Dittmer	Morland	Symington
Dullea	Morris	Thompson
Fitch	Myers	Thoreson
Frazier	Niewoehner	Traynor
Freitag	Nelson, Cass	Treffry
Frosaker	Obach	Trydahl
Gessner	O'Brien	Tuff
Gilberg	Odegard	Tweten
Godwin	Oglesby	Twichell
Goodlaxon	Olson, Adams	Urschel
Graham	Olson, Bowman	White
Hagen	Olson, Sargent	Williams
Hofstrand	Page	Wolf
Holm	Peterson, Bot'neau	Mr. Speaker
Holmquist	Peterson, Renville	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Haines	Nelson, Sargent
Akland	Ireland	Norheim
Billigmeier	Jones	Olson, McLean
Bjornson	Knutson, LaMoure	Savre
Brusseau	Langford	Sticka
Frey	Leum	Wendland
Greiser	Levin	Wick

So the bill passed and the title was agreed to.

Mr. Wolf moved that the rules be suspended and that House Bill No. 336 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

Mr. Magill moved the previous question.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as

amended by the Senate, the roll was called and there were ayes, 78; nays, 13, absent and not voting, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hagen	Olson, Bowman
Anfinson	Hofstrand	Olson, Sargent
Beasley	Holm	Page
Beggs	Holthusen	Peterson, Richland
Benno	Hultstrand	Pewe
Biberdorf	Huseby	Rait
Bieloh	Jensen	Ritter
Billigmeier	Johnson	Sand
Blair	Jury	Schauss
Brown	Just	Seibel
Burgum	Kapaun	Semerad
Byrne	Knudson, Steele	Severson
Caddell	Krank	Shurr, Bottineau
Dalzell	Kraus	Stray
Day	Livingston	Thompson
Dittmer	McInnes	Thoreson
Fitch	McIntee	Traynor
Frazier	Magill	Treffry
Freitag	Morland	Trydahl
Frey	Myers	Tuff
Frosaker	Niewoehner	Tweten
Gessner	Nelson, Cass	Twichell
Gilberg	Obach	Urschel
Godwin	O'Brien	White
Goodlaxon	Odegard	Wolf
Graham	Oglesby	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Beaton	Olson, Adams	Saumur
Dullea	Peterson, Bot'neau	Shure, Cass
Holmquist	Peterson, Renville	Solberg
Levin	Sandness	Symington
Morris		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Jones	Olson, McLean
Akland	Knutson, LaMoure	Savre
Bjornson	LaBerge	Schimke
Black	Langford	Sticka
Brusseau	Leum	Wendland
Greiser	Nelson, Sargent	Wick
Haines	Norheim	Williams
Ireland		

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Schauss moved that the vote by which House Bill No. 336 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Wolf moved that the rules be suspended and that House Bill No. 341 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Holm	Hultstrand
Anfinson	Holmquist	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beaton	Huseby	Pewe
Beggs	Jensen	Rait
Benno	Johnson	Ritter
Biberdorf	Jury	Sand
Bieloh	Just	Sandness
Bjornson	Kapaun	Saumur
Black	Knudson, Steele	Schauss
Blair	Krank	Schimke
Brown	Levin	Seibel
Burgum	Livingston	Semerad
Byrne	McInnes	Severson
Caddell	McIntee	Shurr, Bottineau
Dalzell	Magill	Solberg
Day	Morland	Stray
Dittmer	Morris	Symington
Dullea	Myers	Thompson
Fitch	Niewoehner	Thoreson
Frazier	Nelson, Cass	Traynor
Freitag	Obach	Treffry
Frey	O'Brien	Trydahl
Frosaker	Odegard	Tuff
Gessner	Oglesby	Tweten
Gilberg	Olson, Adams	Twichell
Godwin	Olson, Bowman	Urschel
Goodlaxon	Olson, Sargent	White
Hagen	Page	Wolf
Hofstrand	Peterson, Bot'neau	Mr. Speaker

Those voting in the negative were:

Messrs.	Messrs.
Kraus	Shure, Cass

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Ireland	Norheim
Akland	Jones	Olson, McLean
Billigmeier	Knutson, LaMoure	Savre
Brusseau	LaBerge	Sticka
Graham	Langford	Wendland
Greiser	Leum	Wick
Haines	Nelson, Sargent	Williams

So the bill passed and the title was agreed to.

Mr. Niewoehner moved that the vote by which House Bill No. 341 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Schauss moved that the rules be suspended and that House Bill No. 252 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 77; nays, 12; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Huseby	Rait
Anfinson	Jensen	Ritter
Beasley	Johnson	Sand
Beaton	Jury	Sandness
Benno	Just	Saumur
Biberdorf	Kapaun	Schauss
Bieloh	Knudson, Steele	Schimke
Black	Krank	Semerad
Blair	Kraus	Severson
Brown	Livingston	Shure, Cass
Burgum	McInnes	Shurr, Bottineau
Caddell	McIntee	Solberg
Day	Magill	Stray
Dullea	Morland	Symington
Fitch	Myers	Thompson
Frazier	Niewoehner	Thoreson
Frey	Nelson, Cass	Treffry
Frosaker	Obach	Trydahl
Gessner	O'Brien	Tuff
Gilberg	Odegard	Tweten
Godwin	Olson, Adams	Twichell
Goodlaxon	Olson, Bowman	Urschel
Graham	Page	White
Hofstrand	Peterson, Renville	Wolf
Holm	Peterson, Richland	Mr. Speaker
Holthusen	Pewe	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Byrne	Holmquist	Oglesby
Dalzell	Hultstrand	Olson, Sargent
Dittmer	Levin	Peterson, Bot'neau
Hagen	Morris	Seibel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Haines	Norheim
Akland	Ireland	Olson, McLean
Beggs	Jones	Savre



Messrs.	Messrs.	Messrs.
Billigmeier	Knutson, LaMoure	Sticka
Bjornson	LaBerge	Traynor
Brusseau	Langford	Wendland
Freitag	Leum	Wick
Greiser	Nelson, Sargent	Williams

So the bill passed and the title was agreed to.

Mr. Morris moved that the vote by which House Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Schauss moved that the rules be suspended and that House Bill No. 334 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Anderson	Hultstrand	Peterson, Richland
Anfinson	Huseby	Pewe
Beasley	Johnson	Rait
Benno	Jury	Ritter
Biberdorf	Just	Sand
Bieloh	Kapaun	Sandness
Black	Knudson, Steele	Saumur
Blair	Krank	Schauss
Brown	Kraus	Schimke
Burgum	Levin	Seibel
Byrne	Livingston	Semerad
Caddell	McInnes	Severson
Dalzell	McIntee	Shure, Cass
Day	Magill	Shurr, Bottineau
Dittmer	Morland	Solberg
Dullea	Morris	Symington
Fitch	Myers	Thompson
Frazier	Niewoehner	Thoreson
Frey	Nelson, Cass	Traynor
Frosaker	Obach	Treffry
Gessner	O'Brien	Trydahl
Godwin	Odegard	Tuff
Goodlaxon	Oglesby	Tweten
Graham	Olson, Adams	Twichell
Hagen	Olson, Bowman	Urschel
Hofstrand	Olson, Sargent	White
Holm	Page	Wolf
Holmquist	Peterson, Bot'neau	Mr. Speaker
Holthusen	Peterson, Renville	

Those voting in the negative were:

Messrs.

Beaton

Absent and not voting:

Messrs.

Adam

Akland

Beggs

Billigmeier

Bjornson

Brusseau

Freitag

Gilberg

Greiser

Messrs.

Haines

Ireland

Jensen

Jones

Knutson, LaMoure

LaBerge

Langford

Leum

Nelson, Sargent

Messrs.

Norheim

Olson, McLean

Savre

Sticka

Stray

Wendland

Wick

Williams

So the bill passed and the title was agreed to.

Mr. Wolf moved that the rules be suspended and that House Bill No. 126 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 26.

Those voting in the affirmative were:

Messrs.

Anderson

Anfinson

Beasley

Beggs

Benno

Biberdorf

Bieloh

Black

Blair

Brown

Burgum

Byrne

Caddell

Dalzell

Day

Frazier

Freitag

Frey

Gessner

Gilberg

Godwin

Goodlaxon

Graham

Hagen

Hofstrand

Holm

Messrs.

Huseby

Jensen

Johnson

Jury

Just

Kapaun

Knudson, Steele

Krank

Kraus

Levin

Livingston

McInnes

McIntee

Magill

Morland

Morris

Myers

Niewoehner

Nelson, Cass

Obach

O'Brien

Odegard

Oglesby

Olson, Adams

Olson, Bowman

Olson, Sargent

Messrs.

Peterson, Richland

Pewe

Rait

Ritter

Sand

Sandness

Saumur

Schimke

Seibel

Semerad

Severson

Shure, Cass

Shurr, Bottineau

Solberg

Stray

Symington

Thompson

Thoreson

Traynor

Treffry

Trydahl

Tuff

Tweten

Twichell

Urschel

White

Messrs.	Messrs.	Messrs.
Holmquist	Page	Wolf
Holthusen	Peterson, Bot'neau	Mr. Speaker
Hultstrand	Peterson, Renville	

Those voting in the negative were:

Messrs.  
Beaton

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Greiser	Norheim
Akland	Haines	Olson, McLean
Billigmeier	Ireland	Savre
Bjornson	Jones	Schauss
Brusseau	Knutson, LaMoure	Sticka
Dittmer	LaBerge	Wendland
Dullea	Langford	Wick
Fitch	Leum	Williams
Frosaker	Nelson, Sargent	

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Godwin moved that the vote by which House Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House reconsider its action in adopting the report of the Committee on Enrollment and Grossment on House Bill No. 59.

Which motion prevailed.

Mr. Godwin moved that the House reconsider the vote by which House Bill No. 59 was declared passed.

Which motion prevailed.

Mr. Godwin moved that the House reconsider the vote by which the report of the conference committee was adopted on House Bill No. 59.

Which motion prevailed.

Mr. Godwin moved that the House do not concur in the Senate amendments to House Bill No. 59 and that a conference committee be appointed to confer with a like committee from the Senate, which motion prevailed, and the Speaker appointed on such committee Representatives Jensen, Dittmer and Peterson of Renville.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Also,

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Also,

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Also,

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Also,

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the

Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Also,

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Also,

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Also,

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Also,

#### SENATE CONCURRENT RESOLUTION "A-1".

Also,

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All

Transfers of Property Made by Any Applicant for Pension Under Said Act.

Also,

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Also,

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Also,

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Also,

SENATE CONCURRENT RESOLUTION "Y".

Also,

SENATE CONCURRENT RESOLUTION "P".

Also,

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

And the Speaker signed the same in the presence of the House.

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MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 62, Representatives White, Byrne and Schauss.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Which the House has passed unchanged.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 248. A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Also,

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Also,

Senate Bill No. 75. A Bill for an Act Making an Additional



Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Also,

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Also,

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Also,

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties Thereof; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Also,

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Also,

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Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Also,

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Act, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills and resolutions:

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Also,

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Also,

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Execu-

tive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Also,

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Also,

SENATE CONCURRENT RESOLUTION "Y"

Also,

SENATE CONCURRENT RESOLUTION "A-1"

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the

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House has concurred in the Senate amendment to House Bill No. 40.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 341.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on Senate Concurrent Resolution "H"

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 70.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 247.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 239.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to adopt the report of the Conference Committee on House Bill No. 360 and the Speaker has appointed as a new Conference Committee, Representatives Caddell, O'Brien and Traynor.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 336.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 126.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 334.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

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House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 252.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 46.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 62, Representatives White, Byrne and Schauss.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 59 and the Speaker has appointed as a Conference Committee, Representatives Jensen, Dittmer and Peterson of Renville.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

HOUSE CONCURRENT RESOLUTION "A-1"

Also,

HOUSE CONCURRENT RESOLUTION "E"

Also,

HOUSE CONCURRENT RESOLUTION "V"

Were delivered to the Secretary of State for his approval at the hour of 11:45 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

HOUSE CONCURRENT RESOLUTION 356.

Also,

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Also,

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Also,

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Also,

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Also,

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of



the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 11:30 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Was delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 125.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that the House go into executive session, which motion prevailed, and the House went into executive session.

The House was called to order after the executive session.

Mr. Godwin moved that the House reconsider the vote by which House Bill No. 336 was declared passed.

Which motion prevailed.

Mr. Godwin moved that House Bill No. 336 be placed on the calendar.

Which motion prevailed.

Mr. Godwin moved that action be deferred on House Bill No. 336.

Which motion prevailed.

#### FIFTH ORDER OF BUSINESS REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith. And Declaring an Emergency.

And find the same correctly engrossed.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; as Amended and Re-enacted by Chapter 99 of the Session Laws

of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith. And Declaring an Emergency.

Also,

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Underground Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Underground Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of

North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith. And Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Also,

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforceable or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 280. A Bill for an Act Amending Subdivision U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,-500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Also,

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 30 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Traynor moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 31 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 32 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.



Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 81 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 104 made the following report:

Mr. President: Your Conference Committee to who was referred:

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Sand moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 29 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:  
A. W. FOWLER  
A. N. LAVIK  
WM. J. LOWE

For the House:  
ARLO E. BEGGS  
E. D. SYMINGTON  
EDWIN TRAYNOR

Mr. Thoreson moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 270 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Have had the same under consideration and recommend: Beg leave to report that we cannot agree and that the Committee be discharged.

For the Senate:  
MILTON R. YOUNG  
MELVIN P. JOHNSON  
R. A. OWINGS

For the House:  
VAL P. WOLF  
A. J. KAPAUN  
ED KRAUS

Mr. Wolf moved that the report be adopted and a new Conference Committee be appointed, which motion prevailed, the report was adopted, the Committee was discharged, and the Speaker appointed on the new Conference Committee Representatives Saumur, Kapaun and Kraus.

## MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the

Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bills Nos. 29, 30, 31, 32, 81 and 104.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 336. A Bill for an Act Providing for the Election of Party Precinct Committeemen for a Term of Two Years, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer or Truck Dealer of Certain Sums for all Stock of Farming Implements and Repairs for Farm Implements and Automobiles or Trucks or Parts Therefor Upon the Cancellation or Discontinuation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery, or Automobiles or Trucks or Repair Parts for Automobiles or Trucks.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 334. A Bill for an Act Authorizing the

Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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 find the same correctly enrolled.

CARL H. DITTMER,

Representative Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### EIGHTH ORDER OF BUSINESS

##### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expanding and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Also,

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 270 and the President has appointed as a new Conference Committee, Senators Lowe, Strehlow and Guthrie.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the

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Senate has adopted the report of the Conference Committee on House Bill No. 360 and the President has appointed as a new Conference Committee, Senators Johnson, Coffey and Etestad.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bills No. 29, 30, 31, 32, 81 and 104.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 59, Senators Brostuen, Bilden and Trout.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Burgum moved that the rules be suspended and that House Bill No. 336 be placed on Second Reading and Final Passage.

Which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holthusen	Peterson, Bot'neau
Akland	Hultstrand	Peterson, Richland
Anderson	Huseby	Pewe
Anfinson	Ireland	Rait
Beasley	Johnson	Ritter
Beaton	Jones	Sand
Beggs	Jury	Sandness
Benno	Just	Savre
Biberdorf	Knudson, Steele	Schauss
Bieloh	Knutson, LaMoure	Schimke
Billigmeier	Krank	Seibel
Bjornson	LaBerge	Semerad



Messrs.	Messrs.	Messrs.
Black	Leum	Severson
Brown	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Dalzell	McInnes	Solberg
Day	McIntee	Stray
Dullea	Magill	Thompson
Fitch	Morland	Thoreson
Freitag	Morris	Treffry
Frey	Myers	Trydahl
Frosaker	Niewoehner	Tuff
Gessner	Nelson, Cass	Tweten
Gilberg	Nelson, Sargent	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	Odegard	White
Greiser	Olson, Adams	Wick
Haines	Olson, Bowman	Williams
Hofstrand	Olson, McLean	Wolf
Holm	Olson, Sargent	Mr. Speaker
Holmquist	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blair	Hagen	Oglesby
Brusseau	Jensen	Peterson, Renville
Byrne	Kapaun	Saumur
Caddell	Kraus	Sticka
Dittmer	Langford	Symington
Frazier	O'Brien	Traynor

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Mr. Godwin moved that the vote by which House Bill No. 336 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Burgum moved that the action by which the House concurred in the Senate amendments to House Bill No. 40 be reconsidered.

Which motion prevailed.

Mr. Wolf moved that the House do not concur in the Senate amendments to House Bill No. 40 and that a Conference Committee be appointed to act with a like Committee from the Senate, which motion prevailed, and the Speaker appointed to such Conference Committee Representatives Sand, Leum and Stray.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the

House has refused to concur in the Senate amendment to House Bill No. 40 and the Speaker has appointed as a Conference Committee, Representatives Sand, Leum and Stray.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## SIXTH ORDER OF BUSINESS

### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 62 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Have had the same under consideration and report your Committee is unable to agree and suggest that a new Conference Committee be appointed.

For the Senate:  
J. P. CAIN  
GUST WOG  
J. T. MCGILLIC

For the House:  
JOE D. BYRNE  
GUS A. SCHAUSS  
THOS. A. WHITE

Mr. Godwin moved that the report be adopted, that the Committee be discharged and that a new Committee be appointed, which motion prevailed, the report was adopted, the Committee was discharged, and the Speaker appointed on the new Conference Committee Representatives Byrne, White and Frazier.

### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee

on Senate Bill No. 62 and the Speaker has appointed as a new Conference Committee, House Members Byrne, White and Frazier.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

And find the same correctly re-engrossed.

L. R. BURGUM,  
Vice-Chairman.

Mr. Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-

enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

And find the same correctly enrolled.

L. R. BURUGUM,  
Vice-Chairman.

Mr. Trydahl moved that the report be adopted, which motion prevailed and the report was adopted.

#### SIXTH ORDER OF BUSINESS REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 59 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Have had the same under consideration and recommend that the Senate recede from its amendment on line 4 of Section 3 "to strike out figures 1936 and insert in lieu thereof the figures 1937" page 1425 Senate Journal of March 4, 1937.

For the Senate:

J. K. BROSTUEN,  
O. E. BILDEN,  
W. J. TROUT.

For the House:

N. P. JENSEN,  
CARL H. DITTMER,  
E. M. PETERSON, Renville.

Mr. Burgum moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker called Mr. Fitch to the chair.

Mr. Peterson of Renville moved that the rules be suspended and that House Bill No. 59 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### 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, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Holm	Peterson, Bot'neau
Akland	Holmquist	Peterson, Renville
Anderson	Holthusen	Peterson, Richland
Anfinson	Hultstrand	Pewe
Beaton	Huseby	Rait
Beggs	Ireland	Ritter
Benno	Jensen	Sand
Biberdorf	Jones	Sandness
Bieloh	Just	Savre
Billigmeier	Knutson, LaMoure	Schimke
Black	Krank	Seibel
Brown	Leum	Semerad
Burgum	Levin	Severson
Byrne	Livingston	Shure, Cass
Day	McInnes	Shurr, Bottineau
Dittmer	McIntee	Solberg
Dullea	Magill	Stray
Fitch	Morland	Thompson
Frazier	Morris	Thoreson
Freitag	Myers	Treffry

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Frey	Niewoehner	Trydahl
Frosaker	Nelson, Cass	Tuff
Gessner	Nelson, Sargent	Tweten
Gilberg	Obach	Urschel
Godwin	Odegard	Wendland
Goodlaxon	Oglesby	White
Graham	Olson, Adams	Wick
Greiser	Olson, Bowman	Williams
Hagen	Olson, McLean	Wolf
Haines	Page	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Beasley	Jury	Olson, Sargent
Bjornson	Kapaun	Saumur
Blair	Knudson, Steele	Schauss
Brusseau	Kraus	Sticka
Caddell	LaBerge	Symington
Dalzell	Langford	Traynor
Hofstrand	Norheim	Twichell
Johnson	O'Brien	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 59.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 125.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Godwin moved that Senate Bill No. 80 be placed on 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, 83; nays, 1; absent and not voting, 28; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Adams
Akland	Hultstrand	Peterson, Renville
Anderson	Hofstrand	Peterson, Richland
Beaton	Holm	Pewe
Beggs	Holmquist	Rait
Benn	Holthusen	Ritter
Biberdorf	Huseby	Sand
Bieloh	Ireland	Sandness
Billigmeier	Jensen	Savre
Black	Jones	Schauss
Brown	Just	Seibel
Burgum	Knutson, LaMoure	Severson
Byrne	Krank	Shure, Cass
Dalzell	Leum	Shurr, Bottineau
Day	Levin	Solberg
Dittmer	Livingston	Stray
Dullea	McInnes	Thoreson
Fitch	McIntee	Treffry
Frazier	Magill	Trydahl
Freitag	Morland	Tuff
Frey	Morris	Tweten
Frosaker	Myers	Twichell
Gessner	Niewoehner	Wendland
Godwin	Nelson, Sargent	White
Goodlaxon	Obach	Wick
Graham	Odegard	Williams
Greiser	Oglesby	Wolf
Hagen	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.  
Olson, Bowman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Knudson, Steele	Saumur
Beasley	Kraus	Schimke
Bjornson	LaBerge	Semerad
Blair	Langford	Sticka
Brusseau	Norheim	Symington
Caddell	O'Brien	Thompson
Gilberg	Olson, McLean	Traynor
Johnson	Olson, Sargent	Urschel
Jury	Page	Mr. Speaker
Kapaun		

Passed:

Messrs.  
Nelson, Cass

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Schauss moved that the vote by which Senate Bill No. 80 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Godwin moved that the House go into executive session and that the galleries and halls be cleared of all persons with the exception of employees and members of the press.

Which motion prevailed.

The Speaker resumed the chair.

Mr. Godwin moved that the Senate be requested to return Senate Bill No. 70 to the House.

Which motion prevailed.

Mr. Godwin moved that the doors of the balconies be opened, and that the House dissolve the executive session.

Which motion prevailed.

The Speaker called Mr. Fitch to the chair.

#### FIFTH ORDER OF BUSINESS

##### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 59. A Bill for an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

And find the same correctly enrolled.

HERMAN JUST, Jr.,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

The Speaker resumed the chair.

#### SEVENTH ORDER OF BUSINESS

Mr. Leum moved that the Conference Committee on House



Bill No. 297 be discharged, which motion prevailed and the Committee was discharged.

Mr. Godwin moved that the House request the Senate to return Senate Bill No. 247 to the House.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 247.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 40, Senators Cain, Watt and Young.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to request the return of Senate Bill No. 70.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 270 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection,

Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Have had the same under consideration and beg leave to report that we cannot agree and recommend that the committee be discharged.

For the Senate:

MAX H. STREHLOW,  
WM. J. LOWE,  
JAMES W. GÜTHRIE.

For the House:

GEO. F. SAUMUR,  
ED. KRAUS,  
A. J. KAPAUN.

Mr. Godwin moved that the report of the Conference Committee on House Bill No. 270 be adopted, the committee discharged, and a new conference committee appointed, which motion prevailed.

The Speaker appointed to such committee Representatives Wolf, Johnson and Bieloh.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Which the House has amended as shown on pages 1646-1647 of the House Journal.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of that Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and

Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Mr. Solberg moved that the House reconsider the action by which Senate Concurrent Resolution "X" was declared lost, which motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating

to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Which the President has signed:

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Also,

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Per-

sons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SIXTH ORDER OF BUSINESS REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 360 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels, and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Have had the same under consideration and recommend: That the Senate recede from all Senate amendments except the amendment striking out the language "Or capable of being operated" as it appears in lines 11 and 12 and line 19 of the printed bill; and further recommend the following amendment to the printed bill: Strike out the title and insert in lieu thereof the following: "For an Act to amend and re-enact Section 2 of Chapter 172 of the Session Laws of North Dakota for 1935 and Declaring an Emergency."

In line 1, Section 1 of the printed bill, after the word "section", change the figure "6" to "2".

For the Senate:

MELVIN P. JOHNSON,  
OLE ETTESTAD  
GEORGE V. COFFEY

For the House:

JAMES CADDELL  
EDWIN TRAYNOR  
HARRY O'BRIEN

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the House request the Senate to return Senate Bill No. 24 to the House. A division was called for and the motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to request the return of Senate Bill No. 24.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. Traynor moved that the Senate again be requested to return the original Senate Bill No. 70.

Which motion prevailed.

FRIDAY, MARCH 5, 1937

2023

MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to request the return of the original Senate Bill No. 70.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

ELEVENTH ORDER OF BUSINESS

Mr. Godwin moved that the rules be suspended and that House Bill No. 360 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

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, 92; nays, 2; absent and not voting, 18; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Holthusen	Olson, Sargent
Anderson	Hultstrand	Page
Anfinson	Huseby	Peterson, Bot'neau
Beasley	Jensen	Peterson, Renville
Beaton	Johnson	Peterson, Richland
Beggs	Jones	Pewe
Benno	Jury	Rait
Biberdorf	Just	Ritter
Billigmeier	Kapaun	Sand
Bjornson	Knutson, LaMoure	Sandness
Black	Kraus	Saumur
Brown	LaBerge	Schimke
Burgum	Leum	Seibel
Byrne	Levin	Severson
Caddell	Livingston	Shure, Cass
Dalzell	McInnes	Shurr, Bottineau
Dullea	McIntee	Stray
Frazier	Magill	Thompson
Freitag	Morland	Thoreson
Frey	Morris	Traynor
Frosaker	Myers	Treffry
Gessner	Niewoehner	Trydahl
Gilberg	Nelson, Cass	Tuff
Godwin	Nelson, Sargent	Tweten
Goodlaxon	Norheim	Twichell
Graham	Obach	Urschel
Greiser	O'Brien	Wick
Hagen	Odegard	Williams
Haines	Oglesby	Wolf
Holm	Olson, Bowman	Mr. Speaker
Holmquist	Olson, McLean	



Those voting in the negative were:

Messrs.	Messrs.
Ireland	Solberg

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Fitch	Savre
Bieloh	Hofstrand	Schauss
Blair	Knudson, Steele	Semerad
Brusseau	Krank	Sticka
Day	Langford	Symington
Dittmer	Olson, Adams	Wendland

Passed:

Messrs.  
White

So the bill passed and the title was agreed to. The emergency clause was declared carried.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 46, Senators Cain, Blaisdell and Kolpin.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### PETITIONS AND COMMUNICATIONS

Communication from the Secretary of State regarding codes.

#### SEVENTH ORDER OF BUSINESS

#### HOUSE RESOLUTION "B-2"

Introduced by Representative Twichell

WHEREAS, all the members of the House have two large volumes of Bills that were introduced in this Legislative Assembly and two heavy volumes of Journals, besides many official bulletins and legislative correspondence, which will be of value to them as Legislators; and

WHEREAS, these books, papers and pamphlets can be shipped to each member of this body more cheaply by express (American Express Company) than by any other method:

THEREFORE, BE IT RESOLVED, That the employees, who have been charged with the duties of wrapping and packing such books, pamphlets and correspondence, ship the same to the respective Representatives by American Express and

that such American Express charges be paid in the regular manner as part of the legislative expense of this Session.

Mr. Frey moved that House Resolution "B-2" be adopted.

Mr. Solberg offered as a substitute motion that each Representative dispose of his own books, which motion was lost.

### ROLL CALL

The question being on the original motion of Mr. Frey, the roll was called and there were ayes, 86; nays, 10; absent and not voting, 17.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Akland	Hultstrand	Peterson, Renville
Anfinson	Huseby	Peterson, Richland
Beasley	Johnson	Rait
Beaton	Jones	Ritter
Beggs	Just	Sand
Benno	Kapaun	Sandness
Biberdorf	Knutson, LaMoure	Saumur
Billigmeier	Krank	Savre
Bjornson	Kraus	Schimke
Black	LaBerge	Seibel
Blair	Leum	Severson
Brown	Levin	Shure, Cass
Burgum	Livingston	Shurr, Bottineau
Byrne	McInnes	Stray
Caddell	McIntee	Thompson
Dalzell	Morris	Thoreson
Dittmer	Myers	Traynor
Dullea	Niewoehner	Trydahl
Frazier	Nelson, Cass	Tuff
Freitag	Nelson, Sargent	Tweten
Frey	Norheim	Twichell
Gilberg	O'Brien	Urschel
Goodlaxon	Odegard	Wendland
Graham	Olson, Adams	White
Greiser	Olson, Bowman	Wick
Haines	Olson, McLean	Williams
Holm	Olson, Sargent	Wolf
Holmquist	Page	Mr. Speaker
Holthusen	Peterson, Bot'neau	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Day	Obach	Semerad
Hagen	Oglesby	Solberg
Hofstrand	Pewe	Treffry
Jensen		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Adam	Gessner	Magill
Anderson	Godwin	Morland
Bieloh	Ireland	Schauss

Messrs.	Messrs.	Messrs.
Brusseau	Jury	Sticka
Fitch	Knudson, Steele	Symington
Frosaker	Langford	

So House Resolution "B-2" was adopted.

The Speaker announced the appointment of Representatives Beggs, Norheim and Thompson to the new Conference Committee on House Bill No. 46.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized

to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

And the Speaker signed the same in the presence of the House.

The Speaker called Mr. Fitch to the chair.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 80.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 270 and the President has appointed as a Conference Committee, Senators Lowe, Guthrie and Strehlow.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 62 and the President has appointed as a new Conference Committee, Senators Fowler, McGillic and Whelan.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate refuses to accede to the request of the House for the return of the original of Senate Bill No. 70.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 59, also House Bill No. 360.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return House Concurrent Resolution "A-2".

Which the Senate has adopted.

Very respectfully,

THOMAS McDONALD,  
Secretary.

### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 270 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Have had the same under consideration and beg leave to report that we cannot agree and recommend that the committee be discharged.

For the Senate:

WM. J. LOWE,  
JAMES W. GUTHRIE,  
MAX H. STREHLOW.

For the House:

VAL P. WOLF,  
A. C. JOHNSON,  
C. W. BIELOH.

Mr. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Johnson moved that further consideration of House Bill No. 270 be indefinitely postponed, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 247, in accordance with the request of the House.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Traynor moved that the House reconsider the vote by which Senate Bill No. 247 was passed, which motion prevailed.

Mr. Traynor moved that Senate Bill No. 247 be placed on the calendar, which motion prevailed.

Mr. Traynor asked the unanimous consent of the House to amend Senate Bill No. 247 to read as it was originally introduced in the Senate, which consent was granted.

Mr. Traynor moved that the rules be suspended and that Senate Bill No. 247 be placed on 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, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Renville
Anderson	Ireland	Peterson, Richland
Anfinson	Jensen	Pewe
Beasley	Jones	Rait
Beaton	Jury	Ritter
Beggs	Just	Sandness
Biberdorf	Kapaun	Saumur
Billigmeier	Knudson, Steele	Savre
Black	Knutson, LaMoure	Schimke
Blair	Krank	Seibel
Brown	Kraus	Semerad
Burgum	Livingston	Severson
Caddell	McInnes	Shure, Cass
Dalzell	McIntee	Shurr, Bottineau
Day	Magill	Solberg
Fitch	Morland	Stray
Frazier	Morris	Thompson
Freitag	Niewoehner	Thoreson
Gessner	Nelson, Cass	Traynor
Gilberg	Nelson, Sargent	Treffry
Godwin	Norheim	Trydahl
Graham	Obach	Tuff
Greiser	O'Brien	Tweten
Hagen	Odegard	Urschel
Haines	Oglesby	Wendland
Hofstrand	Olson, Adams	White
Holm	Olson, McLean	Wick
Holmquist	Olson, Sargent	Williams
Holthusen	Page	Wolf
Hultstrand	Peterson, Bot'neau	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Akland	Frey	Myers
Benno	Frosaker	Olson, Bowman
Bieloh	Goodlaxon	Sand

Messrs.	Messrs.	Messrs.
Bjornson	Johnson	Schauss
Brusseau	LaBerge	Sticka
Byrne	Langford	Symington
Dittmer	Leum	Twichell
Dullea	Levin	Mr. Speaker

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Mr. Morris moved that the vote by which Senate Bill No. 247 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Which the House has amended to read as the original bill was introduced in the Senate.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Ad-



ministrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-

enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 46 and the Speaker has appointed as a new Conference Committee, Representatives Beggs, Norheim and Thompson.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Also,

House Bill No. 346. A Bill for an Act to Provide for the Incorporation of Cooperative, Non-Profit, Membership Corporations to Engage in Rural Electrification by Furnishing Electric Energy to Persons in Rural Areas Who Are Not Receiving Central Station Service, Assisting in the Wiring of Premises of Persons in Rural Areas or the Acquisition, Supply or Installation of Electrical or Plumbing Equipment Therein, and/or Furnishing Electric Energy, Wiring Facil-

ities, Electrical or Plumbing Equipment, or Services to Any Other Corporation Organized Under This Act or to the Members Thereof; to Provide for the Rights, Powers and Duties of Such Corporations, Including the Right to Use the Highways and Other Property of the State and to Exercise the Power of Eminent Domain; to Provide for the Creation of Corporate Indebtedness by Such Corporations Without Limitation as to Amount or Proportion Thereof; to Provide an Exemption of Such Corporations from Certain Excise Taxes; to Provide a Limited Exemption of Such Corporations, and the Securities of Such Corporations, from the Securities Commission Act; to Provide for the Extension of This Act to Existing Corporations; and Declaring an Emergency.

Also,

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Also,

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drug Act.

Also,

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Also,

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Also:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Pro-

viding for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Also,

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Also,

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Were delivered to the Governor for his approval at the hour of 11:40 o'clock, March 5, 1937.

CARL W. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Also,

House Bill No. 365. A Bill for an Act to Repeal Article

5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Also,

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Were delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5th, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Also,

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies, Pipe Line Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 185. A Bill for an Act to Amend and Reenact Section 3733 of the 1935 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Also,

House Bill No. 188. A Bill for an Act Authorizing Any

Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Also,

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 280. A Bill for an Act Amending Sub-division U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Also,

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against the Property Shall Be Adjudged Illegal and Non-enforcible or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Also,

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Also,

House Bill No. 322. A Bill for an Act Abolishing the Agri-

cultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Certain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Also,

House Bill No. 326. A Bill for an Act to Provide for the Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 235. A Bill for an Act to Appropriate \$2,500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Also,

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Were delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

HOUSE RESOLUTION "B-2" (Twichell) Whereas, all the members of the House have two large volumes of bills

that were introduced in this Legislative Assembly and two heavy volumes of Journals, besides many official bulletins and Legislative correspondence, which will be of value to them as Legislators; and

WHEREAS, these books, papers and pamphlets can be shipped to each member of this body more cheaply by express (American Express Company) than by any other method;

THEREFORE, BE IT RESOLVED, That the employees, who have been charged with the duties of wrapping and packing such books, pamphlets and correspondence, ship the same to the respective Representatives by American Express and that such American Express charges be paid in the regular manner as part of the legislative expense of this Session.

And find the same Resolution correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

HOUSE CONCURRENT RESOLUTION "A-2" (Schauss)  
A Concurrent Resolution for the payment of the bill of Joseph Coghlan as Legislative expense.

BE IT RESOLVED By the House of Representatives of the Legislative Assembly of the State of North Dakota, the Senate concurring:

That the bill of Joseph Coghlan in the sum of Fifty-eight (\$58.00) Dollars be allowed and paid to him for the work done by him in enrolling and engrossing for the Legislature before such work was taken over by the House and Senate.

And find the same correctly enrolled.

HERMAN JUST, Jr.  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota.  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of the original

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial



Departments of the State Government, 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.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Mr. Kraus moved that the House accede to the Senate request and return House Bill No. 46 to the Senate.

Which motion prevailed.

The Speaker resumed the chair.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 46. A Bill for an Act to appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Which the Senate has requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session

Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

HOUSE CONCURRENT RESOLUTION "A-2".

Also,

HOUSE CONCURRENT RESOLUTION "B-2".

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "A-3".

Also,

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SEVENTH ORDER OF BUSINESS

Mr. White moved that the vote by which House Bill No. 170 was declared lost be reconsidered.

Mr. Fitch moved that Mr. White's motion be laid on the table, which motion prevailed.

#### SIXTH ORDER OF BUSINESS

##### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 40 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Have had the same under consideration and recommend:

In line 3 of the printed bill, strike out the Senate amendment "\$268,071.00" and further amend it by making the figures "270,571.00".

In line 47 under "Miscellaneous Items", we accede to the Senate amendments and further amend it by adding the following words, "and broadcasting". Strike out the figures "\$10,000" and insert in lieu thereof the figures "\$12,500".

In line 48, correct the total by striking out the figures "\$268,071.00" and inserting in lieu thereof the figures "270,571.00".

For the Senate:

WM. WATT  
MILTON R. YOUNG  
J. P. CAIN

For the House:

PAUL S. SAND  
HENRY LEUM  
OLE B. STRAY

Mr. Stray moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 46 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Have had the same under consideration and recommend:

That the Senate approve the House amendments and that the bill be further amended by inserting "88½" following the figures "88" on page 5, sub-division 7, and add the following language: "Deficiency in the printing account for the Twenty-Fourth Legislative Assembly \$10,000", and change the totals to correspond.

For the Senate:

J. P. CAIN,  
G. W. KOLPIN  
J. C. BLAISDELL, Jr.

For the House:

ARLO E. BEGGS  
J. M. THOMPSON  
L. O. NORHEIM

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Frazier moved that the rules be suspended and that House Bill No. 46 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### 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, 80; nays, 0; absent and not voting, 33.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Olson, Sargent
Akland	Huseby	Page
Anderson	Ireland	Peterson, Bot'neau
Beasley	Johnson	Peterson, Renville
Benno	Jury	Peterson, Richland
Billigmeier	Just	Pewe
Blair	Kapaun	Rait
Brown	Knudson, Steele	Ritter
Burgum	Knutson, LaMoure	Sand
Byrne	Kraus	Sandness
Caddell	LaBerge	Savre
Dalzell	Leum	Schauss
Day	Levin	Seibel
Dittmer	Livingston	Severson
Dullea	McInnes	Shurr, Bottineau
Fitch	McIntee	Solberg
Frazier	Morland	Thompson
Frey	Morris	Thoreson
Frosaker	Niewoehner	Treffry
Gessner	Nelson, Cass	Trydahl
Godwin	Nelson, Sargent	Tuff
Goodlaxon	Norheim	Twichell
Greiser	O'Brien	Urschel
Hagen	Odegard	White
Holm	Oglesby	Wick
Holmquist	Olson, Bowman	Wolf
Holthusen	Olson, McLean	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Haines	Schimke
Beaton	Hofstrand	Semerad
Beggs	Jensen	Shure, Cass
Biberdorf	Jones	Sticka
Bieloh	Krank	Stray
Bjornson	Langford	Symington
Black	Magill	Traynor
Brusseau	Myers	Twetén
Freitag	Obach	Wendland
Gilberg	Olson, Adams	Williams
Graham	Saumur	Mr. Speaker

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Johnson moved that the vote by which House Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Fitch to the chair.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 247.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 62 and the President has appointed as a new Conference Committee, Senators Fowler, McGillic and Whelan.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 62 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Have had the same under consideration and report your committee is unable to agree and suggest a new Conference Committee be appointed.

For the Senate:

TOM WHELAN,  
J. T. MCGILLIC,  
A. W. FOWLER.

For the House:

JOE D. BYRNE,  
R. W. FRAZIER,  
THOS. A. WHITE.

Mr. Byrne moved that the report be adopted and a new Conference Committee be appointed, which motion prevailed, the report was adopted, and the Speaker appointed on a new Conference Committee Representatives Byrne, White and Frazier.

The Speaker resumed the chair.

#### MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has refused to accede to the request of the House for the return of Senate Bill No. 24.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bills No. 40, and 46.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connec-

tion with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

SENATE CONCURRENT RESOLUTION "A-3".

Also,

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

And the Speaker signed the same in the presence of the House.

The Speaker called Mr. Fitch to the chair.

Mr. Godwin moved that the rules be suspended and that House Bill No. 40 be considered properly re-engrossed and placed on second reading and final passage.

Which motion prevailed.

#### 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, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Huseby	Peterson, Bot'neau
Akland	Ireland	Peterson, Renville
Anderson	Jensen	Peterson, Richland
Beggs	Johnson	Pewe
Benno	Jones	Rait
Biberdorf	Jury	Ritter
Bieloh	Just	Sand
Billigmeier	Kapaun	Sandness
Black	Knudson, Steele	Saumur
Blair	Knutson, LaMoure	Savre
Brown	Krank	Schauss
Burgum	Kraus	Schimke
Caddell	LaBerge	Semerad
Dalzell	Leum	Severson
Day	Levin	Shure, Cass
Dittmer	Livingston	Shurr, Bottineau
Dullea	McInnes	Solberg



Messrs.	Messrs.	Messrs.
Fitch	McIntee	Stray
Freitag	Magill	Thompson
Frey	Morland	Thoreson
Frosaker	Morris	Traynor
Gessner	Myers	Treffry
Gilberg	Niewoehner	Trydahl
Godwin	Nelson, Cass	Tuff
Goodlaxon	Nelson, Sargent	Tweten
Graham	Norheim	Twichell
Greiser	Obach	Urschel
Hagen	O'Brien	Wendland
Haines	Odegard	White
Hofstrand	Oglesby	Wick
Holm	Olson, Bowman	Williams
Holmquist	Olson, McLean	Wolf
Holthusen	Olson, Sargent	Mr. Speaker
Hultstrand	Page	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Anfinson	Brusseau	Olson, Adams
Beasley	Byrne	Seibel
Beaton	Frazier	Sticka
Bjornson	Langford	Symington

So the bill passed and the title was agreed to.

Mr. Kraus 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.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bills No. 40 and 46.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following resolutions:

HOUSE CONCURRENT RESOLUTION "A-2".

Also,

HOUSE CONCURRENT RESOLUTION "B-2".

FRIDAY, MARCH 5, 1937

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Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 62 and the Speaker has appointed as a new Conference Committee, Representatives Byrne, White and Frazier.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### SIXTH ORDER OF BUSINESS

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 360 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Have had the same under consideration and recommend:

That the Senate recede from all Senate amendments except the amendment striking out the language "Or capable of being operated" as it appears in lines 11 and 12 and line 19 of the printed bill; and further recommend the following amendment to the printed bill: Strike out the title and insert in lieu thereof the following: "For an Act to amend and re-enact Section 2 of Chapter 172 of the Session Laws of North Dakota for 1935 and Declaring an Emergency."

In line 1, Section 1 of the printed bill after the word "section" change the figure "6" to "2".

For the Senate:

MELVIN P. JOHNSON  
OLE ETTESTAD  
GEORGE V. COFFEY,

For the House:

JAMES CADDELL  
EDWIN TRAYNOR  
HARRY O'BRIEN

Mr. Caddell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that House Bill No. 360 be placed on the calendar.

Which motion prevailed.

Mr. Caddell moved that the rules be suspended and that House Bill No. 360 be considered properly re-engrossed and placed on Second Reading and Final Passage.

Which motion prevailed.

### 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, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Hultstrand	Page
Akland	Huseby	Peterson, Bot'neau
Anderson	Ireland	Peterson, Renville
Anfinson	Jensen	Peterson, Richland
Beasley	Johnson	Pewe
Beaton	Jones	Rait
Beggs	Jury	Ritter
Benno	Kapaun	Sand
Biberdorf	Knudson, Steele	Sandness
Bieloh	Knutson, LaMoure	Savre
Billigmeier	Krank	Seibel
Bjornson	Levin	Semerad
Black	Livingston	Severson
Blair	McInnes	Shure, Cass
Caddell	McIntee	Solberg
Dalzell	Magill	Stray
Day	Morland	Thompson
Dittmer	Morris	Thoreson
Dullea	Myers	Treffry
Frazier	Niewoehner	Tuff
Frosaker	Nelson, Cass	Tweten
Gilberg	Nelson, Sargent	Twichell
Godwin	Norheim	Urschel
Goodlaxon	Obach	Wendland
Graham	O'Brien	White
Greiser	Odegard	Wick
Hagen	Oglesby	Williams
Haines	Olson, Adams	Wolf
Holmquist	Olson, Bowman	Mr. Speaker
Holthusen	Olson, Sargent	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brown	Hofstrand	Saumur
Brusseau	Holm	Schauss
Burgum	Just	Schimke

Messrs.	Messrs.	Messrs.
Byrne	Kraus	Shurr, Bottineau
Fitch	LaBerge	Sticka
Freitag	Langford	Symington
Frey	Leum	Traynor
Gessner	Olson, McLean	Trydahl

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 360.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

And find the same correctly re-engrossed.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

And find the same correctly enrolled.

L. R. BURGUM,  
Vice Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

## HOUSE CONCURRENT RESOLUTION "A-2".

Also,

## HOUSE CONCURRENT RESOLUTION "B-2"

Also,

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 59. A Bill for an Act Providing for the Adjustment and Payments of Delinquent Taxes, and Declaring an Emergency.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bills:

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

#### FIFTH ORDER OF BUSINESS

#### REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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 find the same correctly re-enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

The Speaker resumed the chair.

#### EIGHTH ORDER OF BUSINESS

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

And the Speaker signed the same in the presence of the House.

The Speaker called Mr. Wolf to the chair.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following resolutions and bills:

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "H".

Also,

SENATE CONCURRENT RESOLUTION "A-3".

Also,

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Also,

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Which the President has signed and your signature is respectfully requested.

Also I return herewith:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

MESSAGES TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection with Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "A-3".

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Also,

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Also,

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contract-

ing, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease; Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

And find the same correctly engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Juris-

dition of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease; Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease; Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

### EIGHTH ORDER OF BUSINESS

#### SIGNING OF BILLS

The Chief Clerk announced that the Speakers was about to sign:

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "H"

Also,

SENATE CONCURRENT RESOLUTION "A-3"

Also,

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Also,

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

And the Speaker signed the same in the presence of the House.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following resolutions and bills:

## SENATE CONCURRENT RESOLUTION "A-3".

Also,

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect Thereto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Also,

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.

Also,

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines; Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount



Appropriated for Payment of Per Diem of Employees of Twenty-Fifth Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Also,

SENATE CONCURRENT RESOLUTION "H".

Also,

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of

State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 62 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Have had the same under consideration and recommend:

1. That the House recede from the House amendments found on page 1741 of the House Journal reading as follows: 1. "After the word employ leave the word one as it is in the Journal".

2. Sub-section 4 of Section 2, in line 1 of such sub-section after the word "with" the word "one" will remain as it is.

3. And the Senate recedes on House amendment on page 1741 of the House Journal, reading as follow: whereby the

House increase the appropriation from \$10,000 to \$33,000, it being the intention of this report that Senate Bill No. 62 shall only apply to employers having eight or more employees and that the appropriation carried by the Act shall be \$33,000.

For the Senate:

WM. J. LOWE  
WILLIAM KROEBER  
WM. WATT

For the House:

THOS. A. WHITE  
R. W. FRAZIER  
JOE D. BYRNE

Mr. Godwin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Godwin moved that the rules be suspended and that Senate Bill No. 62 be placed on 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, 74; nays, 18; absent and not voting, 21.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Adam	Haines	Olson, Bowman
Akland	Hofstrand	Olson, Sargent
Anfinson	Holm	Peterson, Renville
Beasley	Holthusen	Peterson, Richland
Beggs	Hultstrand	Pewe
Benno	Huseby	Rait
Biberdorf	Jensen	Sand
Bieloh	Knudson, Steele	Sandness
Billigmeier	Knutson, LaMoure	Saumur
Black	Krank	Savre
Brown	Kraus	Seibel
Burgum	LaBerge	Severson
Caddell	Leum	Shurr, Bottineau
Dalzell	Levin	Stray
Day	McInnes	Thompson
Dullea	McIntee	Traynor
Fitch	Magill	Treffry
Frazier	Morland	Trydahl
Freitag	Morris	Tuff
Frey	Myers	Tweten
Gessner	Niewoehner	Urschel
Gilberg	Nelson, Cass	White
Godwin	Obach	Williams
Graham	O'Brien	Mr. Speaker
Greiser	Odegard	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Anderson	Livingston	Ritter
Blair	Norheim	Semerad
Hagen	Olson, Adams	Shure, Cass
Holmquist	Olson, McLean	Solberg
Ireland	Page	Wendland
Jury	Peterson, Bot'neau	Wick

Absent and not voting:

Messrs.	Messrs.	Messrs.
Beaton	Johnson	Schauss
Bjornson	Jones	Schimke
Brusseau	Just	Sticka
Byrne	Kapaun	Symington
Dittmer	Langford	Thoreson
Frosaker	Nelson, Sargent	Twichell
Goodlaxon	Oglesby	Wolf

So the bill passed, the title was agreed to, and the emergency clause was declared carried.

Mr. Godwin 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.

Mr. Hagen: As I understand this, it applies only to employers having eight or more employees. The usefulness of the law in North Dakota is entirely ruined. Therefore I vote "no".

Mr. Frazier: I voted "aye" on this bill, not because I thought it was what we should have, or what we needed for the welfare of the people of North Dakota, but because it was a compromise, and the best we could possibly get.

Mr. Magill: I voted "aye" on this bill because I think it is at least a start in the right direction.

Mr. White: The conference committee that worked on this had five conferences with different committees in the Senate, and were unable to get any other agreement to pass the bill so that it would be of benefit to anybody. The committee did the best it could, under the circumstances; they got a raise in the appropriation. Therefore I vote "aye".

Mr. Semerad: I vote "no" because there won't be a single soul that will benefit under this law.

#### PETITIONS AND COMMUNICATIONS

The Clerk read a communication from the Governor.

Mr. Godwin moved that the communication be printed in the Journal, which motion prevailed.

## OFFICE OF THE GOVERNOR

Bismarck

Members of the House of Representatives,  
Twenty-fifth Legislative Assembly of the  
State of North Dakota.

Members of the House:

As Governor of the State of North Dakota, under Section 75 of the Constitution of the State of North Dakota, I do hereby state that in my opinion an extraordinary occasion has arisen, and I do hereby convene the Legislative Assembly into a Special Session, the same to convene at nine o'clock A. M., March 8th, 1937.

Respectfully,

WILLIAM LANGER,  
Governor.

## MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 62.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

## FIFTH ORDER OF BUSINESS

REPORT OF COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And find the same correctly re-engrossed.

CARL H. DITTMER,  
Chairman.

Representative Trydahl 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. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And find the same correctly enrolled.

CARL H. DITTMER,  
Chairman.

Representative Trydahl moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Mr. Godwin moved that a committee of three be appointed to confer with a like committee from the Senate as to the time of adjournment, which motion prevailed and the Speaker appointed on such committee, Representatives Hagen, Fitch and Dullea.

Mr. Godwin moved that the House return to the Governor's office House Bill No. 24, House Bill No. 25, House Bill No. 26, House Bill No. 27 and House Bill No. 28 which the House had requested returned; also House Bill No. 44 and House Bill No. 77, which the Governor returned to the House.

Which motion prevailed.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: The Speaker has appointed Representatives Hagan, Fitch and Dullea to confer with a like Committee from the Senate to determine the time of adjournment.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

Mr. Traynor moved that Senate Bill No. 70 be immediately messaged back to the Senate.

Which motion prevailed.

#### FIFTH ORDER OF BUSINESS

##### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and

Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for Federal Aid, in Extension Division Work of the Agricultural College.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Also,

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Also,

House Bill No. 177. A Bill for an Act Authorizing the Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

House Bill No. 199. A Bill for an Act Making an Appro-



apropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Also,

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 217. A Bill for an Act Relating to Foreign Corporations; Providing for Their Admission to Transact Business in This State; for Their Withdrawal from This State; for the Revocation of Their Authority to Transact Business in This State; for Payment by Them of Certain License Fees; for Filing by Them of Annual Reports; for Appointment by Them of Resident Agents for Service of Process; for Service of Process on Foreign Corporations; for Penalties and Liabilities for Violations of This Act; for Filing and Recording of Certificates of Authority Issued Pursuant to This Act, and Their Effect as Evidence; for Payment by Foreign Corporations of Certain Fees to the Secretary of State and to Registers of Deeds; for Application of This Act to Foreign Corporations Heretofore Authorized to Transact Business in This State; Repealing Sections 5240, 5241 and 5242 of the Compiled Laws of North Dakota of 1913; Sections 5238a1, 5238a2 and 5239 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; and Section 5238 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Chapter 99 of the Session Laws of North Dakota of 1929, and All Acts or Parts of Acts in so far as They Conflict Herewith.

Also,

House Bill No. 59. A Bill for an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Also,

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws

of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Also,

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Wholesaler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Also,

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Also,

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Act in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and

Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease, Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Also,

House Bill No. 46. A Bill for an Act to appropriate money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Also,

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Also,

HOUSE RESOLUTION "B-2".

Also,

HOUSE RESOLUTION "E".

Also,

HOUSE RESOLUTION "M".

Also,

HOUSE CONCURRENT RESOLUTION "A-1"

Also,

HOUSE CONCURRENT RESOLUTION "V"

Also,

HOUSE CONCURRENT RESOLUTION "A-2".

Were delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Also,

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Also,

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term

Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Also,

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Were delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

L. R. BURGUM,  
Vice-Chairman.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May Be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

FRIDAY, MARCH 5, 1937

2077

SEVENTH ORDER OF BUSINESS

Mr. Twichell moved that House Rule No. 35 be suspended for the sixtieth day of the session, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the President has signed.

Very respectfully,

THOMAS McDONALD,  
Secretary.

Senate Chamber,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

THOMAS McDONALD,  
Secretary.

EIGHTH ORDER OF BUSINESS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary

Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, North Dakota,  
March 5, 1937.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

MINNIE D. CRAIG,  
Chief Clerk.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was delivered to the Governor for his approval at the hour of 11:40 o'clock P. M., March 5, 1937.

CARL H. DITTMER,  
Chairman.

A committee from the Senate notified the House that the Senate had completed its business and was about to adjourn.

Mr. Godwin moved that the committee appointed to arrange with the Senate as to time for adjournment notify the Senate that the House has completed its business and is ready to adjourn, which motion prevailed.

Mr. Godwin moved that a committee be appointed to notify the Governor that the House had completed its business and was about to adjourn sine die, which motion prevailed, and the Speaker appointed on such committee, Representatives Godwin, Traynor and Burgum.

Mr. Frazier moved that a committee be appointed to notify the owners of the loud speaking system that the system be left in the House Chamber, which motion prevailed and the Speaker appointed Representatives Burgum, Frazier and Olson of Bowman.

Mr. Hagen reported that the committee had notified the Senate that the House was about to adjourn.

Mr. Frazier moved that the committee be discharged, which motion prevailed.

Mr. Godwin reported that the committee had notified the Governor that the House was about to adjourn sine die and was ready to be discharged.

Mr. Frazier moved that the report be adopted and the committee be discharged, which motion prevailed.

#### COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Erna Ritter, Burnstad; Florence Frank, Burnstad; Mrs. C. P. Ritter, Burnstad; Mrs. J. W. Roth, Burnstad; M. M. Hilstad, Finley; John Lloyd, Fessenden; Else Lloyd, Fessenden; John Fleck, Killdeer; Mrs. G. F. Jiman, Hurdsfield; Pete Garberg, Fargo; Oscar Hovin, Bismarck; Mrs. Clair Schimke, Ronny; Lavina Schimke, Ronny; Rose Navertil, Bismarck; Barbara Barth, Bismarck; Kathryn Geiger, Bismarck; Jo Ann Thomas, Bismarck; James G. Wevstson, Sykeston; Gilbert Golten, Washburn; Erik Westberg, Douglas; Mr. and Mrs. David Foerderer, Wishek; Mrs. Frank Barnes, Bismarck; Mrs. Mike Oback, Zenith; Ralph Hopp, Killdeer; Clarence Edwards, Killdeer; J. M. Wilberding, Dickinson; R. H. Lynch, Crosby; Helen Benno, Minot; Mrs. F. D. Hanwell, Wilton; Virgil Hanwell, Wilton; Mrs. J. J. Schmid, Wilton; J. J. Schmid, Wilton; Christ Frank, Burnstad; John W. Roth, Burnstad; Julius Ritter, Burnstad; Elmer Ritter, Burnstad; G. O. Lindgren, Valley City; Christ Nathan, Underwood; John Waltz, Underwood; J. J. Nathan, New Rockford; Kenneth Britton, Turtle Lake; Mrs. H. F. Newoehner, Upham.

Mr. Twichell moved that the House do now adjourn sine die.

Which motion prevailed.

MINNIE D. CRAIG,  
Chief Clerk.



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# RECORD OF BILLS IN THE HOUSE

## HOUSE BILLS

### House Bill No. 1—(Wolf and Burgum)

House Bill No. 1. A Bill for an Act Making an Emergency Appropriation out of Monies in the Retail Sales Tax Fund Created by Chapter 276, Laws of 1935, to Provide for the Relief of Destitute and Necessitous Persons and for Other Welfare Activities; Providing for the Distribution of This Appropriation by the Public Welfare Board; and Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 76.

Reference, 81.

Reported back, do pass, 82.

Amended on second reading, second reading, 83.

Sent to the Senate, 85.

Returned amended, 100.

House refuses to concur on Senate amendments, 100.

Other action, 104, 108, 111, 128.

Signed by the Speaker, sent to the Senate for signing, 1828.

Returned to the House signed, 129.

Sent to the Governor, 131.

Governor signs, 134.

### House Bill No. 2—(Knutson of LaMoure)

House Bill No. 2. A Bill for an Act Providing for the Prevention of Nepotism and Prohibiting the Appointment by the Head of any Executive or Administrative Department of the State or by any County Officer, 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 or Officer, Declaring Such Appointment a Misdemeanor and Providing Penalties Therefor; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency to Exist.

Introduction, first reading and reference, 88.

Reported back, indefinitely postponed, 215.

### House Bill No. 3—(Committee on Appropriations)

House Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying Clerkhire and Miscellaneous

**General Expenses of the North Dakota Procurement Officer as Provided by Chapter 219, Session Laws of 1935.**

Introduction, first reading and reference, 88.  
Reported back, amended, 164.  
General Orders, 191.  
Engrossed, 198.  
Second reading, 203.  
Sent to the Senate, 212.  
Returned, unchanged, 744.  
Engrossed, 812.  
Speaker signed, 828.  
Sent to Senate for signing, 831.  
Returned signed, 873.  
Sent to the Governor, 909.  
Governor signs, 970.

**House Bill No. 4—(Committee on Appropriations)**

House Bill No. 4. 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, 88.  
Reported back, do pass, 136.  
Second reading, 153.  
Sent to the Senate, 181.  
Returned, unchanged, 590.  
Enrolled, 625.  
Speaker signs, 659.  
Sent to the Senate for signing, 660.  
Returned to the House signed, 698.  
Sent to the Governor for signing, 714.

**House Bill No. 5—(Committee on Appropriations)**

House Bill No. 5. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors and Marines of the United States War of the Rebellion.

Introduction, first reading, reference, 88.  
Reported back, do pass, 136.  
Second reading, 154.  
Sent to the Senate, 181.  
Returned to the House, indefinitely postponed, 713.

**House Bill No. 6—(Committee on Appropriations)**

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduction, first reading, reference, 88.  
Reported back, do pass, 136.  
Second reading, 155.  
Sent to the Senate, 181.  
Sent back to the House, indefinitely postponed, 824.

**House Bill No. 7—(R. W. Frazier)**

House Bill No. 7. A Bill for an Act Permitting Mortgage Indebtedness on Real Estate to Be Exempted from Taxation.

Introduction, first reading, 88.

Reference, 89.

Reported back, indefinitely postponed, 1050.

**House Bill No. 8—(Traynor and Blair)**

House Bill No. 8. A Bill for an Act to Amend and Re-enact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913 as Amended by Section 2 of Chapter 170 of the Session Laws of North Dakota for 1931 and as Further Amended by Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to Hail Insurance, Providing for Collection of Hail Indemnity Insurance and Status of the Hail Tax.

Introduction, first reading, reference, 89.

Referred, 511.

Reported back, indefinitely postponed, 1274.

**House Bill No. 9—(Freitag)**

House Bill No. 9. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 254 of the Session Laws of the State of North Dakota for 1933, Being an Act Providing for Old Age Pension.

Introduction, first reading, reference, 97.

Reported back, indefinitely postponed, 371.

**House Bill No. 10—(Committee on Appropriations)**

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in Compliance With the Provisions of Sections 3993 to 3998, Inclusive, of the Compiled Laws of 1913.

Introduction, first reading, 97.

Reference, 98.

Reported back, do pass, 137.

Second reading, 156.

Sent to the Senate, 181.

Returned unchanged, 744.

Enrolled, 812.

Speaker signs, 828.

Sent to the Senate for signing, 830.

Returned signed, 873.

Sent to the Governor, 879.

Signed by the Governor, 929.

**House Bill No. 11—(Committee on Appropriations)**

House Bill No. 11. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Introduction, first reading and reference, 98.  
Reported back, do pass, 137.  
Second reading, 157.  
Sent to the Senate, 181.  
Returned from the Senate, unchanged, 744.  
Enrolled, 812.  
Speaker signs, 828.  
Sent to Senate for signing, 830.  
Returned signed, 874.  
Sent to Governor, 879.  
Governor signs, 1184.

**House Bill No. 12—(Committee on Appropriations)**

House Bill No. 12. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913 and Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Introduction, first reading, reference, 98.  
Reported back, do pass, 406.  
Second reading, 450.  
Sent to Senate, 476.  
Returned, unchanged, 826.  
Enrolled, 883.  
Speaker signs, 896.  
Sent to Senate for signing, 896.  
Returned, signed, 931.  
Sent to Governor, 1183.  
Governor signs, 1185.

**House Bill No. 13—(Traynor)**

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4547 of the Compiled Laws of North Dakota for the Year 1913.

Introduction, first reading, reference, 98.  
Reported back, do pass, 138.  
Amended on second reading, second reading, 158.  
Engrossed, 164.  
Sent to Senate, 182.  
Returned, unchanged, 380.  
Enrolled, 467.  
Signed by Speaker, 488.  
Sent to the Senate for signing, 500.  
Returned from the Senate signed, 526.  
Sent to the Governor, 559.

**House Bill No. 14—(Peterson of Renville, Bjornson, Morland and Ritter)**

House Bill No. 14. A Bill for an Act to Conserve the Natural Gas and Oil Resources of the State of North Dakota, to Prevent Waste through Negligent Methods of Operation, and to Provide for the Prescribing and Enforcing of Rules and Regulations Governing the Drilling, Casing and Abandon-

ment of Oil and Gas Wells and the Waste of Oil and Gas, and Providing a Penalty for the Violation Thereof.

Introduction, first reading, reference, 102.  
 Reported back, do pascos, 186.  
 Second reading, 202.  
 Amended on second reading, 202.  
 Engrossed, 211.  
 Sent to the Senate, 212.  
 Returned, unchanged, 338.  
 Enrolled, 401.  
 Speaker signed, 408.  
 Sent to the Senate for signing, 431.  
 Returned, signed, 468.  
 Sent to the Governor, 503.

**House Bill No. 15—(Peterson of Renville, Bjornson, Morland and Ritter)**

House Bill No. 15. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of this State, and to Provide a Market for the Gas and Oil Deposits in this State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling Natural Gas and Oil to the State, County, and School Districts, Upon Condition That the Seller Purchase From Actual Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers to Make Reports of Its Sale and Purchase and Production, Under Oath, and Providing a Penalty for Violation Thereof, and Repealing Acts in Conflict Herewith.

Introduction, first reading, 102.  
 Reference, 103.  
 Reported back, amended, 184.  
 General Orders, 207.  
 Engrossed, 211.  
 Second reading, 224.  
 Sent to the Senate, 252.  
 Returned, amended, 1449.  
 Other action, 1487, 1488, 1547.  
 Enrolled, 1548.  
 Speaker signed, 1555.  
 Sent to the Senate for signing, 1735.  
 Returned, signed, 1846.  
 Sent to the Governor, 1882.

**House Bill No. 16—(Peterson of Renville, Bjornson Morland and Ritter)**

House Bill No. 16. A Bill for an Act to Encourage the Investment of Capital in the State of North Dakota in Connection with the Business of Securing, Saving, Storing and Refining of Petroleum and Petroleum Products, and to Fix and Determine a method for the Finding and Fixing a Limitation on Valuations Thereof for the Purposes of Taxation.

Introduction, first reading, reference, 103.  
 Reported back, amended, 184.  
 General Orders, 207.  
 Engrossed, 210.  
 Second reading, 223.  
 Sent to Senate, 252.  
 Returned from the Senate, amended, 784.  
 Other action, 784, 785.  
 Enrolled, 812.  
 Speaker signed, 828.  
 Sent to the Senate for signing, 830.  
 Returned signed, 874.  
 Sent to the Governor, 880.

**House Bill No. 17—(Peterson of Renville, Bjornson, Morland and Ritter)**

House Bill No. 17. A Bill for an Act to Authorize the Board of County Commissioners of the Counties in the State of North Dakota, to Make, Execute and Deliver, on Behalf of the County, Leases and Other Contracts for the Purpose of Mining, and Operating for Oil and Gas, Lay Pipe Lines, and for Establishing and Maintaining Tanks, Power Stations and Structures Thereon, to Produce, Save, Sell and Take Care of Said Products, Together with Power and Authority to Include in the Provisions of Said Leases Any and All Provisions Which Would Be Within the Power of an Individual owner to Make, With Certain Limitations, and Providing for the Distribution of Moneys Received from Said Leases: Repeal: Declaring an Emergency.

Introduction, first reading, reference, 103.  
 Reported back, amended, 182, 183.  
 General Orders, 206.  
 Engrossed, 211.  
 Second reading, 222.  
 Sent to the Senate, 252.  
 Returned, amended, 575.  
 Other action, 576, 722, 744.  
 Enrolled, 883.  
 Speaker signed, 896.  
 Sent to the Senate for signing, 897.  
 Returned to the Senate, signed, 932.  
 Sent to the Governor, 961.  
 Governor signed, 970.

**House Bill No. 18—(Peterson of Renville, Bjornson, Morland and Ritter)**

House Bill No. 18. A Bill for an Act to Provide for the Taxation of Drilling Rigs and All Other Equipment Used in Prospecting for Oil and Gas in the State of North Dakota.

Introduction, first reading, reference, 103.  
 Reported back, do pass, 165.  
 Second reading, 189.  
 Sent to the Senate, 196.  
 Returned, unchanged, 624.  
 Enrolled, 655.  
 Speaker signs, 659.

Sent to the Senate for signing, 660.  
 Returned, signed, 699.  
 Sent to the Governor, 714.

**House Bill No. 19—**(Peterson of Renville, Morland, Bjornson, and Ritter)

House Bill No. 19. A Bill for an Act to Provide for the Distribution of all Moneys Received From the Treasury of the United States, Under the Provisions of the Act of Congress of February 25, 1920 (Public Number 146) to Place the Same in the State Equalization Fund of the State of North Dakota, and to Be Distributed as Provided by Chapter 260 of the Laws of the State of North Dakota for 1935.

Introduction, first reading, 103.  
 Reference, 104.  
 Reported back, amended, 183.  
 General Orders, 206.  
 Engrossed, 211.  
 Second reading, 221.  
 Sent to Senate, 253.  
 Returned, unchanged, 556.  
 Enrolled, 580.  
 Signed by Speaker, 580.  
 Sent to the Senate for signing, 597.  
 Returned, signed, 622.  
 Sent to the Governor, 658.

**House Bill No. 20—**(Rait)

House Bill No. 20. A Bill for an Act to Amend Section 10254 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Jumping Hotel Bills and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 104.  
 Reported back, amended, 262.  
 General Orders, 303.  
 Engrossed, 344.  
 Second reading, 353.  
 Sent to the Senate, 367.  
 Returned, indefinitely postponed, 824.

**House Bill No. 21—**(Billigmeier)

House Bill No. 21. A Bill for an Act Defining the Practice of Naturopathy in the State of North Dakota; Establishing a Board of Naturopathic Examiners; Outlining Their Duties; Specifying Their Compensation; Providing Penalties for Violation; repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 104.  
 Reported back, amended, 213.  
 General Orders, 254.  
 Engrossed, 262.  
 Second reading, 279.  
 Sent to the Senate, 291.  
 Returned, indefinitely postponed, 1476.



**House Bill No. 22—(Tweten and Hofstrand)**

House Bill No. 22. A Bill for an Act to Amend and Re-enact Section 18 of Chapter 101 of the Session Laws of 1927, Pertaining to Barbers and the Barber Board.

Introduction, first reading, reference, 117.  
Reported back, indefinitely postponed, 137.

**House Bill No. 23—(Krank, Sticka, Obach, Semerad and Niewoehner)**

House Bill No. 23. A Bill for an Act to Cancel all Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1935, and all Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes are Paid During the Years 1937 and 1938; and Repealing all Acts in Conflict Herewith.

Introduction, first reading, reference, 117.  
Reported back, indefinitely postponed, 267.

**House Bill No. 24—(Committee on Appropriations)**

House Bill No. 24. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Introduction, first reading, reference, 124.  
Reported back, amended, 261.  
General Orders, 303.  
Other action, 345, 348, 352, 365, 400.  
Second reading, 412.  
Sent to the Senate, 430.  
Returned, unchanged, 1136.  
Enrolled, 1187.  
Speaker signed, 1439.  
Sent to the Senate for signing, 1441.  
Returned, signed, 1445.  
Sent to the Governor, 1146.  
House requests return, 1635.  
Returned to the Governor, 2070.  
Partial veto, reduced to \$6,700.00.

**House Bill No. 25—(Committee on Appropriations)**

House Bill No. 25. A Bill for an Act Making a Special Appropriation to Pay for the General Maintenance of the School of Medicine at the State University, Grand Forks, North Dakota.

Introduction, first reading, reference, 124.  
Reported back, amended, 271.  
General Orders, 305.  
Other action, 343, 352, 354, 366, 401.  
Second reading, 415.  
Sent to the Senate, 430.  
Returned, unchanged, 1136.

Enrolled, 1187.  
 Speaker signed, 1504.  
 Sent to the Senate for signing, 1441.  
 Returned, signed, 1445.  
 Sent to the Governor, 1446.  
 House requests return, 1635.  
 Returned to the Governor, 2071.

**House Bill No. 26—(Committee on Appropriations).**

House Bill No. 26. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Introduction, first reading, reference, 125.  
 Reported back, amended, 283.  
 General Orders, 307.  
 Other action, 322, 684, 732, 748.  
 Second reading, 846.  
 Sent to Senate, 876.  
 Returned, unchanged, 1136.  
 Enrolled, 1187.  
 Speaker signed, 1439.  
 Sent to the Senate, 1441.  
 Returned, signed, 1445.  
 Sent to the Governor, 1446.  
 House requests return, 1635.  
 Returned to the Governor, 2071.  
 Reduced (\$10,728.55). Partial Veto.

**House Bill No. 27—(Committee on Appropriations)**

House Bill No. 27. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Introduction, first reading, reference, 125.  
 Reported back, amended, 286.  
 General orders, 309, 310.  
 Other action, 322, 686, 733, 748.  
 Second reading, 848.  
 Sent to the Senate, 876.  
 Returned, unchanged, 1136.  
 Enrolled, 1187.  
 Speaker signed, 1439.  
 Sent to the Senate for signing, 1441.  
 Returned, signed, 1445.  
 Sent to the Governor, 1446.  
 House requests return, 1635.  
 Returned to the Governor, 2071.  
 Partial veto, reduced, \$14,008.00.

**House Bill No. 28—(Committee on Appropriations)**

House Bill No. 28. A Bill for an Act Making an Appropriation to Pay the General Maintenance, and as an Offset for

Federal Aid, in Extension Division Work of the Agricultural College.

Introduction, first reading, reference, 125.  
Reported back, amended, 285.  
General orders, 309.  
Other action, 322, 687, 734, 748.  
Second reading, 850.  
Sent to the Senate, 876.  
Returned, unchanged, 1136.  
Enrolled, 1187.  
Speaker signed, 1439.  
Sent to the Senate for signing, 1441.  
Returned, signed, 1445.  
Sent to the Governor, 1446.  
House requests return, 1635.  
Returned to the Governor, 2071.

**House Bill No. 29—(Dalzell)**

House Bill No. 29. A Bill for an Act Amending and Re-enacting Section 1245 of Compiled Laws of North Dakota for the Year 1913 Relating to the Elections of Officers of Special School Districts and Prescribing Qualifications Therefor, and Declaring an Emergency.

Introduction, first reading, reference, 125.  
Reported back, amended, 135.  
General orders, 161.  
Other action, 164, 170, 286, 287, 310, 344, 360.  
Second reading, 381.  
Sent to the Senate, 402.  
Returned, amended, 1437.  
Final passage, 1437.  
Other action, 1438, 1466, 1468.  
Speaker signed, 1486.  
Sent to the Senate for signing, 1503.  
Returned, signed, 1526.  
Sent to the Governor, 1570.

**House Bill No. 30—(Committee on Appropriations)**

House Bill No. 30. A Bill for an Act Making a Special Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the New Addition to the Infirmary of the State Tuberculosis Sanatorium at San Haven, North Dakota, from April 1, 1937, to June 30, 1937, and Declaring an Emergency.

Introduction, first reading, reference, 131.  
Reported back, do pass, 197.  
Second reading, 218.  
Sent to the Senate, 253.  
Returned unchanged, 527.  
Enrolled, 575.  
Signed by the Speaker, 581.  
Sent to the Senate for signing, 598.  
Returned, signed, 622.  
Sent to the Governor, 658.

**House Bill No. 31—(Peterson of Bottineau)**

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 4950a13 of the Supplement to the Compiled Laws of North Dakota, Relating to County Mutual Insurance Companies, and Declaring an Emergency.

Introduction, first reading, reference, 131.  
 Reported back, amended, 265.  
 General orders, 305.  
 Engrossed, 315.  
 Second reading, 323.  
 Sent to the Senate, 340.  
 Returned, amended, 678.  
 Final reading, 679.  
 Enrolled, 715.  
 Speaker signed, 723.  
 Sent to the Senate for signing, 724.  
 Returned signed, 825.  
 Sent to the Governor, 826.  
 Governor signed, 881.

**House Bill No. 32—(Norheim and Blair)**

House Bill No. 32. A Bill for an Act to Amend and Re-enact Section 1 and 2 of Chapter 195 of the Session Laws for 1935, Relating to Funding and Refunding Existing Indebtedness of Municipalities, and Declaring an Emergency.

Introduction, first reading, reference, 132.  
 Reported back, do pass, 248.  
 Second reading, 278.  
 Sent to the Senate, 291.  
 Returned, unchanged, 527.  
 Enrolled, 575.  
 Signed by the Speaker, 581.  
 Sent to the Senate for signing, 598.  
 Returned signed, 622.  
 Sent to the Governor, 659.

**House Bill No. 33—(Knutson of LaMoure)**

House Bill No. 33. A Bill for an Act to Establish Cream Grading and Testing; to Establish Grades of Cream Quality, Methods for Determining Such Grades and Provisions to Insure the Purchase of Cream on the Basis of Such Grade; to Establish Equitable Differentials of Value Between Grades; Establishing Necessary Licensing Provisions; Providing Penalties for Violation of the Act and Repealing Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 139.  
 Reference, 140.  
 Reported back, indefinitely postponed, 626.  
 Reconsidered, other action, 659, 735, 736, 811.  
 Second reading, 836.  
 Sent to the Senate, 948.  
 Returned, unchanged, 1617.  
 Enrolled, 1688.  
 Signed by Speaker, 1732.

Sent to the Senate for signing, 1734.  
Returned, signed, 1847.  
Sent to the Governor, 1884.

**House Bill No. 34—(Godwin)**

House Bill No. 34. A Bill for an Act to Amend and Re-enact Subdivision 3 of Section 10635 of the 1913 Compiled Laws Relating to When Grand Jury May Be Called and Providing for a Petition in Writing Requesting the Calling of Such Grand Jury.

Introduction, first reading, reference, 140.  
Reported back, indefinitely postponed, 263.

**House Bill No. 35—(Frazier)**

House Bill No. 35. A Bill for an Act to Amend and Re-enact Subdivision 5 of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Park Commission, and Declaring an Emergency.

Introduced, first reading, reference, 149.  
Reported back, amended, 248.  
General Orders, 282.  
Engrossed, 292.  
Second reading, 300.  
Sent to the Senate, 314.  
Returned, indefinitely postponed, 713.

**House Bill No. 36—(Odegard, Thoreson and Niewoehner)**

House Bill No. 36. A Bill for an Act Forbidding Compulsory Military Training and Tactics in State Supported Educational Institutions.

Introduction, first reading, reference, 149.  
Reported back, divided report, 274.  
Majority Report adopted, do pass, 275.  
Second reading, 301.  
Sent to the Senate, 314.  
Returned, unchanged, 656.  
Enrolled, 715.  
Speaker signed, 723.  
Sent to the Senate for signing, 814.  
Returned, signed, 873.  
Sent to the Governor, 880.  
Signed by the Governor, 930.

**House Bill No. 37—(Wolf)**

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 1160 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Common School Districts.

Introduction, first reading, reference, 149.  
Reported back, amended, 182.  
General Orders, 206.  
Engrossed, 211.

Second reading, 219.  
 Sent to the Senate, 253.  
 Returned, unchanged, 1528.  
 Enrolled, 1625.  
 Speaker signed, 1632.  
 Sent to the Senate for signing, 1655.  
 Returned, signed, 1675.  
 Sent to the Governor, 1780.

**House Bill No. 38—(Kraus)**

House Bill No. 38. A Bill for an Act to Amend and Re-enact Section 9514 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Crime of Kidnaping, and Providing Penalties Therefor.

Introduction, first reading, reference, 149.  
 Withdrawn, 375.

**House Bill No. 39—(Freitag and Blair)**

House Bill No. 39. A Bill for an Act Providing for the Regulation of Roving Grain Buyers, Other Than Public Warehouses or Public Warehousemen and Track Buyers, and Defining Who Are Such Roving Grain Buyers; Act Not Amicable to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Granting the Board of Railroad Commissioners Power to Make Rules and Regulations Governing the Business of Roving Grain Buyers; Records Required by Dealers; Appropriating the Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act.

Introduction, first reading, reference, 150.  
 Reported back, do pass, 474.  
 Second reading, 522.  
 Sent to the Senate, 531.  
 Returned, unchanged, 1474.  
 Enrolled, 1574.  
 Speaker signed, 1556.  
 Sent to the Senate for signing, 1569.  
 Returned, signed, 1620.  
 Sent to the Governor, 1636.

**House Bill No. 40—(Committee on Appropriations)**

House Bill No. 40. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Introduction, first reading, reference, 150.  
 Reported back, amended, 376.  
 General Orders, 397.  
 Engrossed, 429.  
 Second reading, 445.  
 Sent to the Senate, 501.

Returned from Senate, amended, 782, 783.  
 Other action, 807, 812, 899.  
 Engrossed, 934.  
 Enrolled, 953.  
 Speaker signed, 954.  
 Sent to the Senate for signing, 954.  
 Returned, signed, 998.  
 Reconsidered, 1091.  
 Other action, 1091, 1136, 1140, 1964, 1965, 1987, 2008, 2016,  
 2042, 2046.  
 Final passage, 2047.  
 Other action, 2048.  
 Re-engrossed, 2068.  
 Enrolled, 2068.  
 Speaker signed, 2069.  
 Sent to the Senate for signing, 2070.  
 Returned, signed, 2078.  
 Sent to the Governor, 2181.  
 Partial veto, reduced \$5,000.00.

**House Bill No. 41—(Committee on Appropriations)**

House Bill No. 41. 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.

Introduction, first reading, reference, 150.  
 Reported back, amended, 391.  
 General Orders, 424.  
 Engrossed, 467.  
 Second reading, 478.  
 Sent to the Senate, 531.  
 Returned, unchanged, 745.  
 Enrolled, 811.  
 Speaker signed, 828.  
 Sent to the Senate for signing, 831.  
 Returned, signed, 874.  
 Sent to the Governor, 879.  
 Signed by the Governor, 930.

**House Bill No. 42—(Committee on Appropriations)**

House Bill No. 42. 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, reference, 150.  
 Reported back, amended, 406.  
 General Orders, 423.  
 Engrossed, 467.  
 Second reading, 479.  
 Sent to the Senate, 531.  
 Returned from Senate, amended, 782.  
 Other action, 782, 839, 901, 902, 929.  
 Engrossed, 934.  
 Enrolled, 953.  
 Signed by Speaker, 954.

Sent to the Senate for signing, 954.  
 Returned, signed, 998.  
 Sent to the Governor, 1036.  
 Governor signed, 1185.

**House Bill No. 43—(Committee on Appropriations)**

House Bill No. 43. A Bill for an Act Making an Appropriation for the General Maintenance, a New Building, Equipment and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading, reference, 150.  
 Reported back, do pass, 407.  
 Second reading, 451.  
 Sent to the Senate, 476.  
 Returned, unchanged, 745.  
 Enrolled, 812.  
 Speaker signed, 828.  
 Sent to the Senate, 830.  
 Returned signed, 873.  
 Sent to the Governor, 880.

**House Bill No. 44—(Committee on Appropriations)**

House Bill No. 44. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 150.  
 Reference, 151.  
 Reported back, amended, 434.  
 General Orders, 462.  
 Engrossed, 497.  
 Second reading, 508.  
 Sent to the Senate, 559.  
 Returned, unchanged, 1284.  
 Enrolled, 1335.  
 Speaker signs, 1439.  
 Sent to the Senate for signing, 1441.  
 Returned, signed, 1446.  
 Sent to the Governor, 1446.  
 Partial veto (reduced \$20,859.97), 1642.  
 Returned to the Governor, 2071.

**House Bill No. 45—(Committee on Appropriations)**

House Bill No. 45. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, reference, 151.  
 Reported back, amended, 389.  
 General Orders, 398.  
 Engrossed, 429.  
 Second reading, 446, 447.  
 Sent to the Senate, 501.  
 Returned, amended, 1373.



Other action, 1373, 1450, 1488, 1631, 1651, 1652, 1690.  
 Final passage, 1692.  
 Re-engrossed, 1838.  
 Enrolled, 1839.  
 Signed by Speaker, 1868.  
 Sent to the Senate for signing, 1943.  
 Returned to the House, signed, 1944.  
 Sent to the Governor, 2035.  
 Partial veto, reduced \$350.00.

**House Bill No. 46—(Committee on Appropriations)**

House Bill No. 46. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, 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.

Introduction, first reading, reference, 151.  
 Reported back, amended, 774 to 778.  
 General Orders, 859 to 864.  
 Engrossed, 893.  
 Second reading, 922.  
 Sent to the Senate, 948.  
 Returned, amended, 1902.  
 Other action, 1904, 1911, 1954, 1956, 1989.  
 Enrolled, 2005.  
 Speaker signs, 2006.  
 Sent to the Senate for signing, 2018.  
 Other action, 2024, 2026, 2033, 2039, 2040.  
 Returned, amended, 2044.  
 Final passage, 2044.  
 Other action, 2046, 2048.  
 Enrolled, 2054.  
 Speaker signs, 2055.  
 Sent to the Senate for signing, 2064.  
 Returned signed, 2065.  
 Sent to the Governor, 2074.  
 Partial veto, reduced \$7,500.00.

**House Bill No. 47—(Page)**

House Bill No. 47. A Bill for an Act Making an Appropriation for the Purpose of Paying Travel Expenses of the Office of the State Examiner, as Provided by Chapter 71,

Session Laws of 1933; Declaring an Emergency.

Introduction, first reading, reference, 151.  
 Reported back, amended, 440.  
 General Orders, 465.  
 Engrossed, 498.  
 Second reading, 517.  
 Sent to the Senate, 559.  
 Returned, unchanged, 1528.  
 Enrolled, 1624.  
 Speaker signed, 1632.

Returned to the Senate for signing, 1655.  
 Returned, signed, 1675.  
 Sent to the Governor, 1781.

**House Bill No. 48—(Frazier, by request)**

House Bill No. 48. A Bill for an Act Providing for the Inspection of Lubricating Oils Transported Into the State or Offered for Sale Within the State, the Payment of an Inspection Fee of One Cent per Gallon on All Such Oil, the Labeling of Oil Containers and the Payment of Expenses Incurred in the Enforcement of This Act from the Fees Received.

Introduction, first reading, reference, 151.  
 Reported back, indefinitely postponed, 214.

**House Bill No. 49—(Frazier)**

House Bill No. 49. A Bill for an Act to Provide for a Civil Service Commission; Defining the Powers, Duties and Compensation of Such Commission; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to Such Commission the Duty to Make Rules for Examination and Certification of Persons Eligible for Appointment to Positions; Making Rules for Appointment, Promotion, Transfer, and Re-instatement of Persons to Positions in Such Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying Salaries and Other Expenses.

Introduction, first reading, 151.  
 Reference, 152.  
 Reported back, amended, 284.  
 General Orders, 308, 309.  
 Re-referred, 333.  
 Never reported back.

**House Bill No. 50—(Wolf and Greiser)**

House Bill No. 50. A Bill for an Act Relating to the Re-possessing of Property Sold Under Conditional Sales Contract or Contracts Reserving Title in the Seller; Requiring Service of Notice of Intention to Repossess; Fixing Terms Under Which Possession May Be Taken; Limiting the Right of the Seller; Authorizing District Judges to Make Orders With Reference Thereto.

Introduction, first reading, reference, 152.  
 Reported back, amended, 286.  
 General Orders, 310.  
 Re-referred, 313.  
 Reported back, indefinitely postponed, 626.

**House Bill No. 51—(Frazier)**

House Bill No. 51. A Bill for an Act Requiring a License for Establishing, Opening, Maintaining or Operating Chain Stores Within the State of North Dakota; Prescribing the License Fee to Be Paid; Disposing of the Money Derived

Therefrom; Defining the Powers and Duties of the State Tax Commissioner in Connection Therewith; Providing Penalties for Violation of the Act, and Providing for Trial of Litigated Matters in North Dakota Courts.

Introduction, first reading, reference, 152.  
Reported back, indefinitely postponed, 1194.

**House Bill No. 52—(Graham and Niewoehner)**

House Bill No. 52. A Bill for an Act to Validate and Legalize Proceedings Taken Under Chapter 116, Laws 1919, to Establish and Construct Flood Irrigation Projects, Issue Bonds, Warrants and Other Evidences of Indebtedness to Finance the Cost of Such Projects, Levy Assessments and Taxes for the Payment of Such Indebtedness, and Declaring Such Obligations and Obligations Issued or to Be Issued to Fund Such Indebtedness Valid and Legal, and Declaring an Emergency.

Introduction, first reading, reference, 152.  
Reported back, amended, 318.  
General Orders, 332, 333.  
Engrossed, 369.  
Second reading, 383, 384.  
Sent to the Senate, 403.  
Returned, passed unchanged, 590.  
Returned to Senate for reconsideration, 648.  
Returned, amended, 677.  
Final passage, 677.  
Other action, 678.  
Re-engrossed, 715.  
Enrolled, 715.  
Speaker signs, 723.  
Sent to the Senate for signing, 724.  
Returned, signed, 825.  
Sent to the Governor, 827.  
Governor signs, 881.

**House Bill No. 53—(Nellie Olson from McLean)**

House Bill No. 53. A Bill for an Act Making It Unlawful to Encourage, Cause or Contribute to the Delinquency of a Minor.

Introduction, first reading, reference, 152.  
Reported back, do pass, 290.  
Second reading, 322.  
Sent to the Senate, 339.  
Returned, unchanged, 1474.  
Enrolled, 1547.  
Speaker signs, 1554.  
Sent to the Senate for signing, 1569.  
Returned to House, signed, 1621.  
Sent to the Governor, 1635.

**House Bill No. 54—(Nellie Olson of McLean)**

House Bill No. 54. A Bill for an Act Prohibiting the Marriage of Minors Under the Supervision of the Juvenile

Court of State Training School, Without Order of the Juvenile Court or Superintendent of the State Training School; for the Annullment of Such Marriage; and Prescribing Penalties.

Introduction, first reading, 152.  
 Reference, 153.  
 Reported back, amended, 290.  
 General Orders, 328.  
 Re-referred, 328.  
 Reported back, amended, 370.  
 General Orders, 395.  
 Engrossed, 429.  
 Second reading, 443.  
 Sent to the Senate, 501.  
 Returned, unchanged, 1423.  
 Enrolled, 1467.  
 Speaker signs, 1486.  
 Sent to Senate for signing, 1503.  
 Returned, signed, 1526.  
 Sent to the Governor, 1570.

**House Bill No. 55—(Frazier)**

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 41, Chapter 162, Session Laws of North Dakota, 1927, as Amended and Re-enacted by Chapter 141, Session Laws of North Dakota, 1929, Authorizing the State Highway Commissioner or Such of His Employees as he May Designate and Local Authorities to Prohibit or Restrict the Use of Highways Under the Jurisdiction of Such Officers, and Declaring an Emergency.

Introduction, first reading, reference, 168.  
 Reported back, amended, 262.  
 General Orders, 303.  
 Engrossed, 345.  
 Second reading, 352.  
 Sent to the Senate, 367.  
 Returned, amended, 1872.  
 Final passage, 1872.  
 Other action, 1874.  
 Re-engrossed, 1907.  
 Enrolled, 1907.  
 Speaker signed, 1941.  
 Sent to Senate for signing, 1958.  
 Returned, House, signed, 1997.  
 Sent to the Governor, 2037.

**House Bill No. 56—(Olson of Adams)**

House Bill No. 56. A Bill for an Act Relating to Tax Sale Certificates Issued to Counties, Prohibiting in Certain Cases Issuance of Tax Deeds Thereon Prior to the 31st Day of December, 1939; Making Null and Void any Tax Deed Contrary to the Provisions of This Act, Repealing Chapter 277 of the 1935 Session Laws, Suspending All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduced, first reading, reference, 169.  
 Reported back, indefinitely postponed, 980.

**House Bill No. 57—(Committee on State Affairs)**

House Bill No. 57. A Bill for an Act Declaring Volunteer Firemen to Be Employees of the Municipalities Which They Serve, and Entitled to the Protection of the Workmen's Compensation Laws of the State; Defining the Term "Volunteer Firemen"; Fixing the Basis of Payment of Benefits Out of the Workmen's Compensation Fund and the Method of Making Assessments of Premiums Against Municipalities.

Introduction, first reading, reference, 169.  
 Reported back, amended, 289.  
 General Orders, 312.  
 Engrossed, 344.  
 Second reading, 357.  
 Sent to the Senate, 367.  
 Returned, unchanged, 656.  
 Enrolled, 893.  
 Speaker signed, 896.  
 Sent to the Senate for signing, 897.  
 Returned, signed, 931.  
 Sent to the Governor, 961.  
 Governor signed, 969.

**House Bill No. 58—(Savre)**

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 3352 of the 1913 Compiled Laws of North Dakota.

Introduction, first reading, reference, 169.  
 Reported back, do pass, 213.  
 Second reading, 250.  
 Sent to the Senate, 273.  
 Returned, indefinitely postponed, 1476.

**House Bill No. 59—(Dittmer and Schauss)**

House Bill No. 59. A Bill for an Act Permitting the Board of County Commissioners to Adjust Real Estate Taxes Levied or Assessed Against Property Within Their County Delinquent Prior to December 1, 1936. Permitting Payments in Six Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Introduction, first reading, reference, 169.  
 Reported back, amended, 592.  
 General Orders, 615.  
 Engrossed, 657.  
 Second reading, 690.  
 Sent to the Senate, 745.  
 Returned, unchanged, 1893.  
 Correct message, amended, 1916.  
 Final passage, 1917.  
 Other action, 1918.  
 Enrolled, 1948.  
 Reconsidered, 1978.  
 Other action, 1989, 2007.

Final passage on amendments, 2012.  
 Other action, 2013.  
 Enrolled, 2015.  
 Speaker signs, 2026.  
 Other action, 2028.  
 Sent to the Senate for signing, 2032.  
 Returned, signed, 2053.  
 Sent to the Governor, 2072.

**House Bill No. 60—(Committee on Appropriations)**

House Bill No. 60. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of a Deficit in the Office of the Commissioner of Agriculture and Labor.

Introduction, first reading, reference, 169.  
 Reported back, amended, 438.  
 General Oredrs, 464.  
 Engrossed, 498.  
 Second reading, 513.  
 Reconsidered and placed on calendar, 518.  
 Final passage, 547.  
 Sent to the Senate, 559.  
 Returned, unchanged, 1044.  
 Enrolled, 1131.  
 Speaker signed, 1159.  
 Sent to the Senate for signing, 1189.  
 Returned, signed, 1283.  
 Sent to the Governor, 1283.

**House Bill No. 61—(Godwin)**

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 4380 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Causes for Granting Divorce.

Introduction, first reading, reference, 169.  
 Reported back, indefinitely postponed, 263.

**House Bill No. 62—(Committee on Education)**

House Bill No. 62. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws for the Year 1913 as Amended by Chapter 236 of the Session Laws of 1933, Relating to School Transportation; Requiring School Boards to Pay Transportation Fees or the Equivalent Thereof on or Before the Fifteenth day of July Following the School Year During Which the Same Have Been Earned; to Provide a Remedy by Mandamus for the Payment Thereof, and to Limit the Time in Which Action May Be Brought to Enforce the Same, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 186.  
 Reported back, amended, 248.  
 General Orders, 281.  
 Engrossed, 292.  
 Second reading, 299. Lost

**House Bill No. 63—(Frazier and Gessner)**

House Bill No. 63 A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; as Amended by Chapter 226 of the 1935 Session Laws; Providing for the Printing of All Matters Coming Under Class 5; of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof, and Repeal All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, 186.  
Reference, 187.  
Reported back, amended, 626.  
General Orders, 652.  
Engrossed, 717.  
Second reading, 723, Re-referred.  
Reported back, amended, 1141.  
General Orders, 1181.  
Indefinitely postponed, 1181.

**House Bill No. 64—(Niewoehner)**

House Bill No. 64. A Bill for an Act to Prohibit Treating in Places Licensed to Sell Intoxicating Liquors as Beverages.

Introduction, first reading, reference, 187.  
Reported back, indefinitely postponed, 247.

**House Bill No. 65—(Sandness)**

House Bill No. 65. A Bill for an Act to Amend Chapter 117 of the 1935 Session Laws Providing for the Creation of a Board of County Park Commissioners by Adding Thereto a Provision to Be Designated as Section 7-A Thereof to Permit Said County Park Commissioners to Make a Levy on the Taxable Property of the County to Be Expended for Park and Recreational Purposes, and Exempting Said Tax Levy from the Levy Limitations Provided by Chapter 235 of the 1929 Session Laws and Amendments Thereto, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 187.  
Reported back, indefinitely postponed, 247.

**House Bill No. 66—(Blair)**

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 6854 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, and Section 6855 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, as Amended by Chapter 156 of the 1929 Session Laws and by Chapter 177 of the 1931 Session Laws, Relating to Threshing Liens and Procedure to Obtain the Same.

Introduction, first reading, reference, 187.  
Reported back, indefinitely postponed, 266.

**House Bill No. 67—(Godwin and Stray)**

House Bill No. 67. A Bill for an Act to Regulate the Employment of Teachers in Public Schools of the State of North Dakota and in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged from Their Positions; Providing for Probationary Periods; Providing for Hearing and Appeal.

Introduction, first reading, reference, 187.  
Reported back, indefinitely postponed, 627.

**House Bill No. 68—(Godwin and Stray)**

House Bill No. 68. A Bill for an Act Creating a State Painters and Decorators Commission; Defining the Terms "Master and Contracting Painter," "Journeyman Painter," "Apprentice Painter"; Providing for the Appointment of the Members of Such Commission and Fixing Their Terms of Office and Compensation; Authorizing Such Commission to Promulgate Rules and Regulations Covering Examination and Licensing of Master, Journeymen and Apprentice Painters; Providing for Holding Such Examinations; Prohibiting Unlicensed Persons, Firms and Corporations from Engaging in the Business of Painting; Fixing Fees to Be Paid by Applicants for Examinations and Providing for the Issuance of Permits and for the Disposition of Such Funds; Providing for the Revocation of Permits; Providing Penalties for the Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Therewith, and Providing for a Saving Clause as to Constitutionality.

Introduction, first reading, 187.  
Reference, 188.  
Reported back, amended, 315.  
General Orders, 331.  
Engrossed, 369.  
Second reading, 382.  
Sent to the Senate, 403.  
Returned, indefinitely postponed, 622.

**House Bill No. 69—(Committee on Tax and Tax Laws)**

House Bill No. 69. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, to Classify Property for Assessment at a Percentage of Its Value and Fix and Adopt Such Percentage of



Values, Excepting Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 188.  
 Reported back, amended, 317, 318.  
 Re-referred, 333.  
 Reported back, do pass, 372.  
 Second reading, 417.  
 Sent to the Senate, 430.  
 Returned, indefinitely postponed, 1852.

**House Bill No. 70—(Committee on Tax and Tax Laws)**

House Bill No. 70. A Bill for an Act to Amend and Re-enact Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by That Certain Initiated Measure Entitled: "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917, as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919, as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) Per Cent of the Full and True Value Thereof to Fifty (50) Per Cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Providing for the Assessment of All Property Not Otherwise Taxed at Its Full Value, the Determination of Such Value, the Exemption of Farm Buildings and Improvements from All Taxes, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 188.  
 Reference, 189.  
 Reported back, indefinitely postponed, 317.

**House Bill No. 71—(Anderson and Livingston)**

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 274 of the Session Laws of 1927 and as Further Amended by Chapter 159 of the Session Laws of 1935, Defining Usury and Fixing Penalty.

Introduction, first reading, reference, 200.  
 Reported back, amended, 532.  
 General Orders, 554.  
 Engrossed, 588.  
 Second reading, 603.  
 Sent to the Senate, 649.  
 Returned, indefinitely postponed, 1476.

**House Bill No. 72—(Committee on Tax and Tax Laws)**

House Bill No. 72. A Bill for an Act to Amend and Re-

enact Section 3521 of the Compiled Laws of North Dakota for the Year 1931 as Amended by Section 1 of Chapter 286 of the Session Laws of North Dakota for the Year 1923, the Same Being Section 3521 of the Supplement of the Compiled Laws of North Dakota for the Year 1925, and as Amended by That Certain Initiated Law Entitled "An Act Reducing and Fixing Allowances for Mileage and Travel Expenses of County Officials and Their Deputies, and Repealing All Acts and Parts of Acts in so far as They Conflict Herewith, and Taking Effect July 30th, 1932, Excepting as to Elective Officials as to Whom It Shall Take Effect and Be in Force Upon Their Election and Qualification to Office Hereafter," Approved and Adopted by the Electors at the June 29th, 1932, Primary Election Relating to Allowances for Mileage and Travel Expense of County Officials and Their Deputies and Providing for an Itemized Statement of Such Mileage and Travel Expense, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 200.

Reported back, amended, 288.

General Orders, 311, 312.

Re-referred, 358.

Engrossed, 343.

General Orders, 396.

Reported back, amended, 372.

Re-engrossed, 448.

Second reading, 453.

Sent to the Senate, 492.

Returned, indefinitely postponed, 1424.

#### House Bill No. 73—(Committee on Tax and Tax Laws)

House Bill No. 73. A Bill for an Act to Amend and Re-enact That Certain Initiated Law Entitled: "An Act Reducing, Equalizing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, and Repealing All Acts and Parts of Acts in so far as They Are in Conflict Herewith, and Taking Effect as to All Except Elective Officials on the 30th Day of July, 1932, and as to Elective Officials Upon Their Election and Qualification Hereafter," Adopted and Approved by the Electors at the June 29th, 1932, Primary Election, Reducing and Fixing Allowances for Mileage and Travel Expense of State Officials, Elective and Appointive, Their Deputies, Assistants, Clerks and Other State Employees, Providing for the Filing of an Itemized Statement Thereof, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 200.

Reported back, amended, 287.

General Orders, 311.

Re-referred to Committee, 358.

Engrossed, 344.

Reported back, do pass, 373.

Second reading, 420.

Sent to the Senate, 431.

Returned, passed unchanged, 624.  
 Enrolled, 655.  
 Speaker signed, 660.  
 Sent to the Senate for signing, 660.  
 Returned, signed, 698.  
 Sent to the Governor, 714.

**House Bill No. 74—(Livingston and Anderson)**

House Bill No. 74. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 157 of the 1935 Session Laws, Relating to Legal Rate of Interest.

Introduction and first reading, reference, 201.  
 Reported back, indefinitely postponed, 267.

**House Bill No. 75—(Livingston and Anderson)**

House Bill No. 75. A Bill for an Act to Amend and Re-enact Section 6077 of the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapter 158 of the Session Laws of 1935 Relating to the Rate of Interest to Be Allowed on Judgments.

Introduction, first reading, reference, 201.  
 Reported back, do pass, 268.  
 Second reading, 298.  
 Sent to the Senate, 314.  
 Returned, passed unchanged, 495.  
 Enrolled, 525.  
 Speaker signed, 525.  
 Sent to the Senate for signing, 530.  
 Returned, signed, 557.  
 Sent to the Governor, 558.

**House Bill No. 76—(Sand)**

House Bill No. 76. A Bill for an Act Making an Emergency Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Motor Vehicle Registration Department.

Introduction, first reading, reference, 201.  
 Reported back, amended, 295.  
 General Orders, 329.  
 Engrossed, 344.  
 Second reading, 360.  
 Sent to the Senate, 368.  
 Returned, passed unchanged, 557.  
 Enrolled, 580.  
 Signed by Speaker, 581.  
 Sent to the Senate for signing, 598.  
 Returned to House, signed, 623.  
 Sent to the Governor, 659.

**House Bill No. 77—(Committee on Appropriations)**

House Bill No. 77. A Bill for an Act Making an Appropriation to the Secretary of State for the Payment of the Cost

of Printing the 1933-1934 Public Documents, and Declaring an Emergency.

Introduction, first reading, reference, 201.  
 Reported back, amended, 439.  
 General Orders, 465.  
 Engrossed, 498.  
 Second reading, 516.  
 Sent to the Senate, 559.  
 Returned, unchanged, 1424.  
 Enrolled, 1466.  
 Speaker signed, 1486.  
 Sent to Senate for signing, 1502.  
 Returned to House signed, 1526.  
 Sent to the Governor, 1570.  
 Total veto.

House Bill No. 78—(Godwin, Burgum and Twichell)

House Bill No. 78. A Bill for an Act Providing for the Registration of Public Contractors, and Defining the Term Public Contractor; Providing the Requirements and Method of Obtaining a License to Engage in the Business of Public Contracting in the State of North Dakota; Classifying and Fixing the Fee for Such License; Providing the Method of Suspension, Cancellation and Reinstatement Thereof; Providing Added Requirements in Bond of Foreign Contractor; Prescribing Penalties for the Violation of This Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Hereof, and Declaring an Emergency.

Introduction, first reading, reference, 205.  
 Reported back, amended, 294.  
 General Orders, 328, 329.  
 Other action, 357, 375, 400.  
 Second reading, 385.  
 Sent to the Senate, 403.  
 Returned, amended, 645.  
 Final passage, 646.  
 Re-engrossed, 654.  
 Other action, 657.  
 Enrolled, 715.  
 Speaker signed, 724.  
 Sent to Senate for signing, 724.  
 Returned, signed, 825.  
 Sent to the Governor, 826.  
 House requests return, 974.  
 Reconsidered, 1566.  
 Senate requests return, 1566.  
 Senate returns, amended, 1933.  
 Final passage, 1934.  
 Other action, 1935.  
 Enrolled, 2004.  
 Speaker signed, 2006.  
 Sent to Senate for signing, 2018.  
 Returned, signed, 2041.  
 Sent to the Governor, 2178.

**House Bill No. 79—(Godwin)**

House Bill No. 79. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Introduction, first reading, reference, 217.  
 Reported back, do pass, 316.  
 Second reading, 354, 355. Lost.  
 Reconsidered, 375.  
 Other action, 375, 419.  
 Sent to the Senate, 431.  
 Returned to the House, indefinitely postponed, 1617.

**House Bill No. 80—(Godwin)**

House Bill No. 80. A Bill for an Act to Amend and Re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 213 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and Repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Creation of a Fire Marshal Department.

Introduction, first reading, reference, 217.  
 Reported back, do pass, 316.  
 Second reading, 356.  
 Sent to the Senate, 367.  
 Senate returns, unchanged, 1528.  
 Enrolled, 1624.  
 Speaker signed, 1632.  
 Returned to Senate for signing, 1655.  
 Returned, signed, 1675.  
 Sent to the Governor, 1779.

**House Bill No. 81—(Olson of Sargent and Nelson of Sargent)**

House Bill No. 81. A Bill for an Act Extending the Definition of "Villages" to Include "Incorporated Towns" Where Such Towns Were Incorporated Under Any Law of the Territory of Dakota or of the State of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, reference, 217.  
 Reported back, do pass, 563.  
 Second reading, 605.  
 Sent to the Senate, 658.  
 Returned, amended, 1557.  
 Other action, 1557.  
 Final passage, 1557.  
 Other action, 1565.  
 Re-engrossed, 1622.  
 Enrolled, 1623.  
 Speaker signed, 1633.

Returned to Senate for signing, 1656.  
 Returned, signed, 1674.  
 Sent to the Governor, 1780.

**House Bill No. 82—(Niewoehner and Goodlaxon)**

House Bill No. 82. A Bill for an Act to Amend and Re-enact Subsection "C" of Section 2166, Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 279, Session Laws of 1931, Relating to the Collection of Delinquent Personal Property Taxes and Prescribing the Duties of the County Treasurer and Sheriff in Connection With the Collection Thereof.

Introduction, first reading, reference, 217.  
 Reported back, do pass, 502.  
 Second reading, 545.  
 Sent to the Senate, 598.  
 Returned, indefinitely postponed, 1476.

**House Bill No. 83—(Adam)**

House Bill No. 83. A Bill for an Act to Amend and Re-enact Sections 4 and 6 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties the Petition and Election Therefor; the Vote Thereon; Result Thereof; and Proclamation by the Governor; the Officers; Expiration of Their Terms and Transfer of All Books, Records and Property; Nominations When Void; the Transfer and Trial of All Actions; the Debts, Taxes and Issuance of Bonds or Certificates of Indebtedness, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 249.  
 Reported back, amended, 436.  
 General Orders, 464.  
 Engrossed, 497.  
 Second reading, 510. Lost.  
 Reconsidered, 529.  
 Other action, 529, 573.  
 Re-engrossed, 587.  
 Sent to the Senate, 597.  
 Returned, unchanged, 1423.  
 Speaker signed, 1486.  
 Enrolled, 1466.  
 Sent to the Senate for signing, 1502.  
 Returned, signed, 1526.  
 Sent to the Governor, 1571.

**House Bill No. 84—(Frazier and Rait)**

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 116 of the Session Laws of North Dakota of 1927, Relating to the Furnishing of Seed and Feed by Counties and Declaring an Emergency.

Introduction, first reading, reference, 249.  
 Reported back, amended, 469.  
 General Orders, 489.  
 Engrossed, 530.

Second reading, 543.  
 Sent to the Senate, 598.  
 Returned, amended, 1447.  
 Other action, 1447, 1448.  
 Re-engrossed, 1466.  
 Enrolled, 1468.  
 Speaker signed, 1486.  
 Sent to Senate for signing, 1503.  
 Returned, signed, 1526.  
 Sent to the Governor, 1571.

**House Bill No. 85—(Twenten and Hofstrand)**

House Bill No. 85. A Bill for an Act to Provide for Public Display of the Specifications of Motor Gasoline Offered for Sale at Retail.

Introduction, first reading, reference, 250.  
 Reported back, amended, 373.  
 General Orders, 396.  
 Re-engrossed, 448.  
 Second reading, 454.  
 Sent to the Senate, 476.  
 Returned indefinitely postponed, 740.

**House Bill No. 86—(McInnes)**

House Bill No. 86. A Bill for an Act to Amend and Re-enact Section 510 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct and to Prohibit the Practice of Dentistry by Corporations Providing Penalties for the Violation Hereof.

Introduction, first reading, reference, 250.  
 Withdrawn, 333.

**House Bill No. 87—(Kapaun)**

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, as Amended by Section 35 of Chapter 143 of the 1935 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds, and Prescribing a Penalty for the Violation of the Provisions Hereof.

Introduction, first reading, reference, 250.  
 Reported back, do pass, 563.  
 Second reading, 606.  
 Sent to the Senate, 658.  
 Returned, indefinitely postponed, 1617.

**House Bill No. 88—(Johnson, Thompson and Schauss)**

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of North Dakota for the Year 1929, Relating to the Construction of All

**Public Buildings and Repairs and Improvements Connected With or Pertaining Thereto, Contracts Therefor, and Allowance and Payment of Estimates Thereon.**

Introduction, first reading, 275.  
 Reference, 276.  
 Reported back, do pass, 370.  
 Second reading, 416.  
 Sent to the Senate, 430.  
 Returned, unchanged, 712.  
 Enrolled, 747.  
 Speaker signs, 755.  
 Sent to the Senate for signing, 756.  
 Returned, signed, 827.  
 Sent to the Governor, 827.  
 Governor signed, 881.

**House Bill No. 89—(Freitag and Wolf)**

House Bill No. 89. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Appointing the Bank of North Dakota as Liquidating Agent Therefor; Requiring Delivery of Assets to the Bank of North Dakota, Specifying Its Duties in Connection Therewith and Providing Compensation Therefor; Providing for the Appointment of Committees to Reopen and Liquidate Such Banks; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 276.  
 Re-referred, reported back, amended, 980.  
 General Orders, 1033.  
 Engrossed, 1132.  
 Second reading, 1161.  
 Sent to the Senate, 1190.  
 Returned, indefinitely postponed, 1852.

**House Bill No. 90—(Freitag, Wolf and Sand)**

House Bill No. 90. A Bill for an Act to Secure the Benefits of the Act of Congress of the United States Establishing a System of Federal Old Age Benefits Known as the "Social Security Act"; Providing a Plan for Old Age Pensions and Assistance; Creating a Fund for the Payment of Old Age Pensions; a Board to Be Known as the Old Age Pension Board of the State of North Dakota as the Agency to Administer the Plan; Designating and Prescribing the Persons to Be Pensioned and Otherwise Receive the Benefits of This Act; Prescribing Penalties for Violation of the Provisions of This Act; Providing for the Payment of Expenses to Be Incurred in Carrying Out the Provisions Hereof; and Repealing Chapter 254 of the Session Laws of North Dakota for the Year 1933, Together With Any and All Acts or Parts of Acts in Conflict With or Inconsistent to the Provisions of This Act.

Introduction, first reading, reference, 276.  
 Reported back, do pass, 1194.  
 Second reading, 1297.  
 Sent to Senate, 1329.  
 Returned, indefinitely postponed, 1475.



**House Bill No. 91—(Black and Graham)**

House Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 137, Session Laws of 1931, Relating to Filling of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

Introduction, first reading, reference, 276.  
Reported back, indefinitely postponed, 563.  
Re-referred, 563.  
Reported back, do pass, 937.  
Second reading, 1012. Lost.

**House Bill No. 92—(Wick, Jensen and Bieloh)**

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 166 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Section 6, of Chapter 189, of the Session Laws of North Dakota for the Year 1931, and as Further Amended and Re-enacted by Section 2, of Chapter 172, of the Session Laws of 1935; Being an Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for the Report of Sales of Such Motor Vehicle Fuels; for Exempting Certain of Said Fuels from Taxation; for the Disposition of the Revenue Derived Therefrom; for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; Regulating the Sale of Such Fuels and Fixing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts Which Conflict Herewith.

Introduction, first reading, 276.  
Reference, 277.  
Re-reference, 306.  
Reported back, amended, 551.  
Majority report adopted, 552.  
General Orders, indefinitely postponed, 582.

**House Bill No. 93—(Dullea and Leum)**

House Bill No. 93. A Bill for an Act Making an Appropriation for the Purpose of Conducting Grain Festivals or Exhibitions to Advertise the Products and Resources of the State.

Introduction, first reading, reference, 277.  
Reported back, indefinitely postponed, 439.  
Reconsidered, 440.  
Re-referred, 440.  
Reported back, amended, 591.  
General Orders, indefinitely postponed, 615.

**House Bill No. 94—(Frazier)**

House Bill No. 94. A Bill for an Act to Amend and Re-enact Section 5 and 7 of Chapter 148 of the Session Laws of 1935 by an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, and an Assistant Highway Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Com-

pensation and Providing for Disposition of Finance Collected; Making Certain State Highway Department Employees and Certain Employees of the State Board of Railroad Commissioners Members of Police Patrol.

Introduction, first reading, reference, 277.  
Reported back, amended, 534.  
General Orders, indefinitely postponed, 582.

**House Bill No. 95.—(Frazier)**

House Bill No. 95. A Bill for an Act Authorizing, Empowering, and Directing, the Board of Administration to Secure Plans and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements to Build and Construct Power Plants; Including Buildings, at the Agricultural College Located at Fargo, North Dakota, and Mayville Normal at Mayville, North Dakota, of Sufficient Size to Provide Adequate Electrical Current for the Needs of Said Institutions; Employ Architects, Superintendents; Authorizing the Board of Administration to Do All Things Necessary in Order to Fully Erect and Complete Said Power Plants and Place the Same in Operation; Specifying Circumstances Under Which the Provisions of This Act Shall Not Be Carried Out.

Introduction, first reading, reference, 277.  
Reported back, indefinitely postponed, 1276.

**House Bill No. 96.—(Committee on Appropriations)**

House Bill No. 96. A Bill for an Act Making an Appropriation to Make Up the Deficits in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive, of the Compiled Laws of 1913, and Declaring an Emergency.

Introduction, first reading, 277.  
Reference, 278.  
Reported back, amended, 439.  
General Orders, 465.  
Engrossed, 498.  
Second reading, 514.  
Sent to the Senate, 560.  
Returned, unchanged, 1424.  
Enrolled, 1467.  
Speaker signed, 1486.  
Sent to the Senate for signing, 1502.  
Returned, signed, 1526.  
Sent to the Governor, 1570.  
Returned to House, partially vetoed, 1788.  
Sent to the Governor, unchanged, 1991.

**House Bill No. 97.—(Niewoehner)**

House Bill No. 97. A Bill for an Act to Provide for Cancellation From Record of Contracts for Sale of Land Not Renewed Within Fifteen Years From Due Date or Within

Twenty Years From Date of Recording; When Land is Not Occupied by Vendee; and for Procedure to Be Followed, and Repealing All Acts in Conflict Herewith.

Introduction, first reading, reference, 278.  
Reported back, indefinitely postponed, 370.

**House Bill No. 98—(Schauss)**

House Bill No. 98. A Bill for an Act Directing the Board of Administration to Engage Competent Engineering Experts to Determine What Can Be Done to Remedy the Poor Hearing Qualities of the House Chamber and Advise on Cost Thereof; Proceed to Have Same Done if at a Cost Not in Excess of \$2,500; Making an Appropriation, and Declaring an Emergency.

Introduction, first reading, reference, 281.  
Reported back, amended, 438.  
General Orders, 464.  
Engrossed, 498.  
Second reading, 512.  
Other action, 529, 542, 567, 585, 618, 655.  
Second reading, amended, 694.  
Re-engrossed, 715.  
Sent to Senate, 718.  
Other action and final vote, 1652.  
Other action and final re-engrossment, 1653, 1686.  
Enrolled, 1688.  
Signed by Speaker, 1732.  
Sent to the Senate for signing, 1734.  
Returned, signed, 1847.  
Sent to the Governor, 1884.

**House Bill No. 99—(Ritter, Greiser and Jensen)**

House Bill No. 99. A Bill for an Act Authorizing, Directing and Empowering the Bank of North Dakota, as the Fiscal Agent of the State of North Dakota, to Sell Lands Acquired Through Mortgage Foreclosures, Fixing Terms Upon Which Such Sales Shall Be Made; Directing Sale Under Certain Conditions; Permitting Former Owners and Others to Petition for Sale; Requiring Land to Be Appraised; Fixing Minimum to Be Paid Annually; Fixing Rate of Interest and Authorizing the Bank of North Dakota to Prescribe Forms of Contract.

Introduction, first reading, reference, 297.  
Reported back, indefinitely postponed, 627.

**House Bill No. 100—(Hultstrand, Freitag and Godwin)**

House Bill No. 100. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Retouch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Introduction, first reading, reference, 297.  
 Re-referred, 554.  
 Reported back, amended, 966.  
 General Orders, indefinitely postponed, 973.  
 Reconsidered, 975.  
 Engrossed, 1049.  
 Second reading, 1078.  
 Re-engrossed, 1119.  
 Sent to the Senate, 1135.  
 Senate returned, passed unchanged, 1738.  
 Enrolled, 1775.  
 Speaker signed, 1779.  
 Speaker signed (corrected sheet), 1869.  
 Sent to the Senate for signing, 1943.  
 Returned, signed, 1944.  
 Sent to the Governor, 2033.  
 Partial veto, reduced \$750.00.

**House Bill No. 101—(Odegard and Symington, by request)**

House Bill No. 101. A Bill for an Act Requiring the Licensing of Auctioneers; Fixing Fees for Same; How and When Paid; Providing for Bond, and Penalty for Violation and Declaring an Emergency.

Introduction, first reading, reference, 297.  
 Reported back, do pass, 373.  
 Second reading, indefinitely postponed, 421.

**House Bill No. 102—(Hagen)**

House Bill No. 102. A Bill for an Act to Provide for the Continued Eradication of Predatory Animals; Making an Appropriation and Prescribing the Manner of Its Expenditure in Cooperation with the United States Department of Agriculture; Bureau of Biological Survey; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 298.  
 Reported back, indefinitely postponed, 535.

**House Bill No. 103—(Frazier)**

House Bill No. 103. A Bill for an Act Requiring Every Secretary of All Boards Who Issue Licenses to Practice Any Profession, to File with the Secretary of State, Record of Licenses Issued and to Issue Copies Thereof.

Introduction, first reading, 298.  
 Reference, 298.  
 Reported back, indefinitely postponed, 405.

**House Bill No. 104—(Magill and Schauss)**

House Bill No. 104. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of 1913, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Introduction, first reading, reference, 318.

Reported back, amended, 374.  
General Orders, 397.  
Engrossed, 428.  
Second reading, 444.  
Sent to the Senate, 501.  
Returned to House, unchanged, 1528.  
Enrolled, 1623.  
Speaker signed, 1633.  
Returned to Senate for signing, 1655.  
Returned, signed, 1674.  
Sent to the Governor, 1780.

**House Bill No. 105—(Schauss and Magill)**

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 1151 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 237, Session Laws of 1927, Relating to Election of Officers of Common School Districts, and Prescribing Qualifications Therefor.

Introduction, first reading, 318.  
Reference, 319.  
Reported back, do pass, 374.  
Second reading, 442.  
Sent to the Senate, 501.  
Returned, unchanged, 1528.  
Enrolled, 1624.  
Speaker signed, 1633.  
Sent to the Senate for signing, 1656.  
Returned, signed, 1674.  
Sent to the Governor, 1781.

**House Bill No. 106—(Godwin)**

House Bill No. 106. A Bill for an Act to Amend and Re-enact Sections 2551, 2552, 2553, 2562, 2564 and 2567 of the Compiled Laws of the State of North Dakota for the Year 1913; Providing for Application of Admission to the State Hospital for the Insane; Providing for the Investigation by the Commissioners of Insanity as to Such Application; Providing for Method of Sending Patients to the State Hospital for the Insane; Defining the Terms "Insane" and "Idiot"; Providing for the Issuance of Warrants of Insanity, or Warrants as to the Requirement of Treatment and/or Observation by the Superintendent of the State Hospital for the Insane; Providing for the Issuance of a Writ of Habeas Corpus in Certain Cases; Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, reference, 319.  
Reported back, do pass, 674.  
Second reading, 763.  
Sent to the Senate, 876.  
Returned, amended, 1931.  
Other action, 1932, 1933.  
Engrossed, 1969.  
Enrolled, 1970.  
Speaker signed, 1982.  
Sent to the Senate for signing, 2002.  
Returned, signed, 2019.  
Sent to the Governor, 2034.

**House Bill No. 107—(Godwin)**

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2572a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Settlement of the Expenses of Patients in the Hospital for the Insane, the Institution for the Feeble-Minded and State Tuberculosis Sanatorium, Between the Various Counties, the State and Such Institutions, Providing for Disputed Claims, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, reference, 319.  
 Reported back, do pass, 668.  
 Second reading, 740.  
 Sent to the Senate, 876.  
 Returned, passed unchanged, 1738.  
 Enrolled, 1775.  
 Speaker signed, 1777.  
 Sent to the Senate for signing, 1835.  
 Returned, signed, 1913.  
 Sent to the Governor, 1991.

**House Bill No. 108—(Godwin)**

House Bill No. 108. A Bill for an Act to Amend and Re-enact Section 2579 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Providing That the Expenses for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be Charged Against the Estate of Such Persons, Providing for the Disposition of Property of Insane Persons, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 319.  
 Reported back, do pass, 668.  
 Second reading, 741.  
 Sent to the Senate, 876.  
 Returned, unchanged, 1738.  
 Enrolled, 1775.  
 Speaker signed, 1777.  
 Sent to the Senate for signing, 1835.  
 Returned, signed, 1913.  
 Sent to the Governor, 1991.

**House Bill No. 109—(Godwin)**

House Bill No. 109. A Bill for an Act to Amend and Re-enact Sections 2568, 2569 and 2570, of the Compiled Laws of North Dakota for 1913, Providing for the Liability and the Expenses for the Insane, Declaring Responsibility of the County and of the State; Providing for the Duties of the Superintendent of the State Hospital for the Insane with Reference Thereto, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, 319.  
 Reference, 320.  
 Reported back, do pass, 669.  
 Second reading, 760.  
 Sent to the Senate, 813.  
 Returned, indefinitely postponed, 1678.

**House Bill No. 110—(Godwin)**

House Bill No. 110. A Bill for an Act to Amend and Re-enact Sections 1716a1 and 1717 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Providing That the Cost of Keeping Patients in the Institution for the Feeble-Minded Shall Be a Charge Against the County Sending Such Patient and Against the State, That Persons Liable to Support Such Defective Person Shall, When Able, Pay the Expense of Treatment, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 320.

Reported back, amended, 669.

General Orders, 731.

Engrossed, 748.

Second reading, 852.

Sent to the Senate, 948.

Returned, indefinitely postponed, 1678.

**House Bill No. 111—(Godwin)**

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2588 of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 251 of the Session Laws of North Dakota for 1929, Relating to the Cost of Maintenance of Patients at the North Dakota Tuberculosis Sanatorium, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 320.

Re-referred, 375.

Reported back, amended, 670.

General Orders, 731.

Engrossed, 748.

Second reading, 854.

Re-engrossed, 882.

Sent to the Senate, 948.

Returned, 1679. (Indefinitely postponed.)

**House Bill No. 112—(Godwin)**

House Bill No. 112. A Bill for an Act to Prohibit the Operating of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Introduction, first reading, reference, 320.

Reported back, do pass, 436.

Second reading, 480.

Sent to the Senate, 531.

Returned, unchanged, 1789.

Enrolled, 1839.

Signed by Speaker, 1868.

Sent to the Senate for signing, 1942.

Returned, signed, 1961.

Sent to the Governor, 1992.

**House Bill No. 113—(Graham, Fitch, Livingston)**

House Bill No. 113. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life Insurance Agents Who Are Residents of Another State.

Introduction, first reading, reference, 320.

Reported back, indefinitely postponed, 437.

**House Bill No. 114—(Hagen and Bjornson)**

House Bill No. 114. A Bill for an Act Regulating the Storage of Crude Oil, Gasoline, Kerosene, Naptha, Benzine and Other Flammable Liquids; Requiring Dikes for Above Ground Storage Tanks and Prescribing Penalties for Violation of Provisions Hereof.

Introduction, first reading, reference, 321.

Reported back, do pass, 404.

Re-referred, 448.

Reported back, amended, 610.

Genral Orders, 618.

Engrossed, 655.

Second reading, 693. Lost.

**House Bill No. 115—(Hagen and Bjornson)**

House Bill No. 115. A Bill for an Act Prescribing the Limits Within Which Rubbish and Trash May Not Be Burned Within the Limits of Cities, Towns, and Villages of This State; Prescribing Penalties for Violation of the Provisions Hereof and Establishing the Amount of Damages Recoverable by Persons Injured by Reason of Violations of the Provisions Hereof.

Introduction, first reading, reference, 321.

Reported back, indefinitely postponed, 564.

**House Bill No. 116—(Hagen and Ritter)**

House Bill No. 116. A Bill for an Act to Amend and Re-enact Sections 189b1 to 189b30, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended; Relating to State Hail Insurance; Providing for Compulsory State Hail Insurance; Levying a Flat Hail Insurance Tax of One Cent on Each Acre of Tillable Land in North Dakota; Providing for the Levy and Collection of an Indemnity Tax Upon Insured Lands, Fixing the Amounts and Providing for Adjustment of Claims of Indemnity; Defining the Duties of Assessors, Auditors and Treasurers; Abatement of Hail Indemnity Tax and Correction of Records; Providing for Special State Hail Insurance; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 321.

Re-referred, 488.

Reported back, amended, 593.

General Orders, 616, 617.

Re-engrossed, 654.

Second reading, 835. Lost.

Reconsidered, 923.

Re-referred, 974.



Reported back, amended, 1072.  
General Orders, 1127.  
Re-engrossed, 1246.  
Re-engrossed, 1255.  
Sent to the Senate, 1282.  
Returned, indefinitely postponed, 1851.

**House Bill No. 117—(Akland)**

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 7, Session Laws of 1933, Forbidding the Purchase of Stock by Licensed Buyers Unless Accompanied by a Certificate of Ownership; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 321.  
Reported back, indefinitely postponed, 405.

**House Bill No. 118—(Graham and Niewoehner)**

House Bill No. 118. A Bill for an Act to Provide for Additional and Supplemental Assessments on Omitted Property for Benefits for Improvements Established, Constructed and Maintained Pursuant to Section 8320a1 to Section 8320a4, Inclusive, of the Supplement to the Compiled Laws of 1913, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 321.  
Reported back, do pass, 564.  
Second reading, amended on second reading, 607.  
Engrossed, 625.  
Sent to the Senate, 658.  
Returned, amended, 1556.  
Other action, 1557, 1565.  
Re-engrossed, 1623.  
Enrolled, 1624.  
Speaker signed, 1633.  
Sent to the Senate for signing, 1656.  
Returned, signed, 1674.  
Sent to the Governor, 1780.

**House Bill No. 119—(Ireland and Solberg)**

House Bill No. 119. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund Money Diverted Therefrom by Chapter 155 of the Session Laws of North Dakota for 1935, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 322.  
Reported back, amended, 628.  
General Orders, 652. (Action deferred.)  
General Orders, 711.  
Engrossed, 748.  
Second reading, 855.  
Sent to the Senate, 878.  
Returned, amended, 1874.

Other action, 875, 1876, 1877.  
 Re-engrossed, 1891.  
 Re-engrossed, 1921.  
 Enrolled, 1922.  
 Speaker signed, 1940.  
 Sent to the Senate for signing, 1958.  
 Returned, signed, 1996.  
 Sent to the Governor, 2037.

**House Bill No. 120—(Ireland and Solberg)**

House Bill No. 120: A Bill for an Act for the Regulating of the Sale and Purchase of Alcohol and Alcoholic Beverages; Providing for the Licensing of Persons Desiring to Purchase Alcohol and Alcoholic Beverages; Providing for the Issuance of Such Licenses; the Form of and the Fees to be Paid Therefor; Declaring What Persons May Not Be Licensed, Prohibiting the Sale of Alcohol and Alcoholic Beverages to Unlicensed Purchasers; Providing for the Disposition of Such License Fees; Providing for the Punishment of Violations Hereof; Providing for the Revocation of Licenses; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, reference, 348.  
 Reported back, indefinitely postponed, 661.

**House Bill No. 121—(Wolf)**

House Bill No. 121. A Bill for the Use of Tax Reports of Public Utilities by the Board of Railroad Commissioners in Determining Valuations for Rate-Making Purposes.

Introduction, first reading, reference, 348.  
 Reported back, amended, 628.  
 General Orders, 705.  
 Engrossed, 716.  
 Second reading, 792.  
 Sent to the Senate, 877.  
 Returned to House, unchanged, 1738.  
 Enrolled, 1774.  
 Speaker signed, 1777.  
 Sent to the Senate for signing, 1835.  
 Returned, signed, 1914.  
 Sent to the Governor, 1991.

**House Bill No. 122—(Schauss)**

House Bill No. 122. A Bill for an Act Providing for the Regulation of Public Utilities; Powers and Duties of Railroad Commission; Improper Charges; Reparation.

Introduction, first reading, 348.  
 Reference, 349.  
 Reported back, amended, 628.  
 General Orders, 705.  
 Engrossed, 717.  
 Second reading, 793.  
 Sent to the Senate, 877.  
 Returned, indefinitely postponed, 1475.

**House Bill No. 123—(Hagen)**

House Bill No. 123. A Bill for an Act Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Temporary Reductions or Increases in Rates, and for Refunds and Reparations, and Jurisdiction and Duties of the Board of Railroad Commissioners, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 349.  
 Reported back, amended, 629.  
 General Orders, 706.  
 Engrossed, 717.  
 Second reading, 794.  
 Sent to the Senate, 877.  
 Returned, unchanged, 1618.  
 Enrolled, 1687.  
 Speaker signed, 1707.  
 Sent to the Senate for signing, 1734.  
 Returned, signed, 1846.  
 Sent to the Governor, 1883.

**House Bill No. 124—(Godwin)**

House Bill No. 124. A Bill for an Act Relating to the Jurisdiction and Powers of the Board of Railroad Commissioners of the State of North Dakota, Relating to Hearings and Investigations in Connection With Public Utilities; and Relating to the Payment of Expenses of Hearings, and Investigations, and Valuations, and/or Revaluations, and of Methods of Assessing and Collecting the Same, Re-creating and Continuing "Public Utility Fund," a Revolving Fund, and Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith, Except the Provisions of Acts Relating to "Public Utility Fund."

Introduction, first reading, reference, 349.  
 Reported back, do pass, 629.  
 Second reading, 695.  
 Sent to the Senate, 746.  
 Returned, unchanged, 1676.  
 Enrolled, 1748.  
 Speaker signed, 1751.  
 Sent to the Senate for signing, 1786.  
 Returned, signed, 1845.  
 Sent to the Governor, 1882.

**House Bill No. 125—(Hagen and Jensen)**

House Bill No. 125. A Bill for an Act to Provide for the Creation, the Powers, the Duties, the Authority and the Jurisdiction of the State Water Conservation Commission; Prescribing its Powers and Duties to Investigate, Plan, Regulate, Control, and Supervise for All Purposes of Flood Control, Water Conservation, Water Irrigation, Water Rights, and Pollution of Water, All Public or Private Navigable or Non-navigable, Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters,

and Watersheds, Located in or Within the Jurisdiction of the State of North Dakota and to Exercise Powers of Contracting, of Sale and of Purchase, and of Leasing and sub-leasing with Respect Thereof; Providing for the Construction, Operation and Maintenance of a System of Works for the Conservation, Development, Storage, Distribution and Utilization of Water, and for the Acquisition and Disposition of Property Necessary Therefor; Authorizing the Issuance and Sale of Water Conservation Revenue Bonds of the State, Payable From the Revenues of Such Works and the Funds Received From the Sale or Disposal of Water and from the Operation, Lease; Sale or Other Disposition of the Works, Property, and Facilities to Be Acquired Out of the Proceeds of Such Bonds; Providing for the Lien Upon Bond Proceeds, for Exempting Property of Commission from Taxation; Providing for Trust Indentures; Providing for the Creation of Certain Funds in Connection with the Act; Providing for Necessary Help and Expenses; Providing for Contracts with the United States; with Political Sub-divisions of the State, with Associations, Groups, and Persons, Providing for Powers and Duties Concerning Inter-State Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights and for the Sale and Lease Thereof; Making an Appropriation; Providing for the Creation of a Revenue Bond Payment Fund; Providing Duties of State Agencies Acting Intra State, Concerning Water Conservation, Flood Control and Pollution of Waters and Providing Duties of State Agencies Concerning Inter-State Compacts With Respect to Water Conservation, Flood Control and Pollution of Waters; Providing for the Collection and Payment of Moneys Into Said Fund and Disbursements Therefrom; for Methods of Paying Principal and Interest Thereon by State Treasurer; Providing for Levy of Tax, if Necessary, to Pay Principal and Interest of Revenue Bonds; and Reimbursement of Such Levy, and to Provide that the State Water Conservation Commission May Mortgage Property; and Designating Said Water Conservation Commission as a Public Corporation and Agency of the State; and to Grant Additional Powers to the Commission Concerning Irrigation, the Sale and Lease of Water, and Water Rights; to Borrow Monies; Providing for Authority of Bank of North Dakota to Act as Fiscal Agent, to Purchase and Sell Revenue Bonds and to Make Loans; Repealing Inconsistent Acts and Declaring an Emergency.

Introduction, first reading, 349.  
 Reference, 350.  
 Reported back, amended, 1099 to 1119.  
 Action deferred in General Orders, 1121.  
 General Orders, 1147.  
 General Orders, 1180.  
 Engrossed, 1256.  
 Second reading, 1294.  
 Re-engrossed, 1326.  
 Sent to the Senate, 1330.  
 Returned, amended, 1864.

Other action, 1865, 1867, 1896, 1928, 1931, 1992.  
 Engrossed, 2058.  
 Enrolled, 2060.  
 Signed by the Speaker, 2062.  
 Sent to the Senate for signing, 2064.  
 Returned, signed, 2064.  
 Sent to the Governor, 2073.

**House Bill No. 126—(Frazier)**

House Bill No. 126. A Bill for an Act to Provide for the Transfer of All Moneys Derived From Special Taxes on Motor Vehicle Transportation, Which Are Now Remaining Inactive in Special Funds to the Department of State Highways. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 350.  
 Reported back to be re-referred, 472.  
 Reported back, amended, 661.  
 General Orders, 709.  
 Engrossed, 748.  
 Second reading, 801.  
 Sent to the Senate, 839.  
 Returned, amended, 1968.  
 Other action and final passage, 1968, 1977, 1988.  
 Enrolled, 2004.  
 Speaker signed, 2006.  
 Sent to the Senate for signing, 2018.  
 Returned, signed, 2041.  
 Sent to the Governor, 2075.

**House Bill No. 127—(Wolf and Schauss)**

House Bill No. 127. A Bill for an Act Relating to Payment and Collection of Wages for Labor, Excepting Agricultural Labor; Requiring Semi-monthly Payments; Requiring Written Notice of Terms of Contract of Employment of Posting of Notice; Providing for Separation of Employees from Payroll; Imposing Certain Conditions in the Event of Industrial Disputes; Requiring the Prompt Payment of Wages Conceded to be Due; Prohibiting Contracts waiving the Terms of this Act; Making Principal Contractor Liable for Payroll of Sub-Contractor; Placing Responsibility for Enforcement of this Act; Granting the Commissioner of Agriculture and Labor and His Deputy Certain Powers and Imposing Certain Duties; Requiring States Attorneys to Prosecute Both Civil and Criminal Actions; Generally Providing for the Enforcement of this Act; Requiring Employers to Keep Records; Fixing Penalties for Violation; Permitting Assignment of Claims for Wages to and Imposing Upon Commissioner of Agriculture and Labor and his Deputy the Duty to Prosecute Actions; Fixing Costs to be Paid, Charged and Collected.

Introduction, first reading, reference, 350.  
 Reported back, indefinitely postponed, 503.

**House Bill No. 128—(Beaton)**

House Bill No. 128. A Bill for an Act to Amend and Re-

enact Section 3846 of the Compiled Laws of North Dakota for 1913, fixing the hours during which the polls shall be open at an election upon the question of whether or not a proposed Village shall incorporate.

Introduction, first reading, reference, 350.  
 Reported back, do pass, 471.  
 Second reading, 519.  
 Sent to the Senate, 560.  
 Returned to House, unchanged, 713.  
 Enrolled, 747.  
 Speaker signed, 778.  
 Sent to Senate for signing, 756.  
 Returned, signed, 825.  
 Sent to the Governor, 827.

**House Bill No. 129—(Beaton)**

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 3852 of the Compiled Laws of North Dakota for 1913, Fixing the Hours During Which the Polls Shall Be Open at Annual Village Elections: Declaring an Emergency.

Introduction, first reading, 350.  
 Reference, 351.  
 Reported back, do pass, 470.  
 Second reading, 518.  
 Sent to the Senate, 560.  
 Returned, unchanged, 713.  
 Enrolled, 747.  
 Speaker signed, 755.  
 Sent to Senate for signing, 756.  
 Returned, signed, 826.  
 Sent to the Governor, 827.

**House Bill No. 130—(Bieloh)**

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 3264 of the Compiled Laws of North Dakota for 1913 Relating to the Term of Office of County Commissioners.

Introduction, first reading, reference, 351.  
 Reported back, do pass, 473.  
 Re-referred, 521.  
 Reported back, do pass, 883.  
 Second reading, 960.  
 Re-engrossed, 979.  
 Sent to the Senate, 1046.  
 Returned, unchanged, 1618.  
 Enrolled, 1687.  
 Speaker signed, 1707.  
 Sent to the Senate, 1734.  
 Returned, signed, 1846.  
 Sent to the Governor, 1883.

**House Bill No. 131—(Schauss)**

House Bill No. 131. A Bill for an Act to Amend and Re-

enact Section 635 of the Compiled Laws of North Dakota for 1913 Relating to the Availability of Appropriations; Prohibiting any Department, Institution, Industry, Board, Bureau, or Commission, for Which Appropriation Is Made, From Incurring Expense or Liability in Excess of Appropriations Available During Any Period and Repealing Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 351.  
Reported back, indefinitely postponed, 779.

**House Bill No. 132—(Greiser)**

House Bill No. 132. A Bill for an Act to Repeal Sections 57a1 and 57a2 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Requiring Union Label on Public Printing and Providing Penalty for Omitting the Same.

Introduction, first reading, reference, 351.  
Reported back, do pass, 630.  
Second reading, 697. Lost.

**House Bill No. 133—(Committee on Education)**

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 1190 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, as the Same Was Amended by Chapter 243 of the 1927 Session Laws of the State, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing Certain Acts in Conflict.

Introduction, first reading, reference, 351.  
Reported back, do pass, 437.  
Second reading, 482.  
Sent to the Senate, 531.  
Returned, indefinitely postponed, 1476.  
Senate requests return, 1697.  
Bill returned, 1697.  
Returned to House, unchanged.  
Enrolled, 1949.  
Speaker signed, 1982.  
Sent to the Senate for signing, 2002.  
Returned, signed, 2020.  
Sent to the Governor, 2034.

**House Bill No. 134—(Frazier)**

House Bill No. 134. A Bill for an Act Relating to the Power of County Commissioners to Allow Actual Expense to Members of County Welfare Boards, County Planning Boards, and Other Boards, Associations and Societies Engaged in Public Activities, While and When Engaged in Such Activities Within the State of North Dakota, Whether Within or Without the County of Their Residence, and Declaring an Emergency.

Introduction, first reading, 351.  
Reference, 352.  
Reported back, do pass, 473, 474.  
Second reading, indefinitely postponed on motion, 521.

**House Bill No. 135—Trydahl, Hagen, Peterson of Renville)**

House Bill No. 135. A Bill for an Act to Fix the Tax Levy Limitation for School Districts Which Have Heretofore Voted to Increase the Tax Levy Limit Therein; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 377.  
Reported back, indefinitely postponed, 474.

**House Bill No. 136—(Burgum)**

House Bill No. 136. A Bill for an Act to Amend and Re-enact Sections 5512, 5513, 5514 and 5515 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Transfer of Interests of Real Estate by Corporations; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 377.  
Reported back, amended, 662.  
General Orders, 709.  
Engrossed, 747.  
Second reading, 803.  
Sent to the Senate, 877.  
Returned, unchanged, 1618.  
Enrolled, 1688.  
Speaker signed, 1707.  
Sent to the Senate for signing, 1733.  
Returned, signed, 1847.  
Sent to the Governor, 1884.

**House Bill No. 137—(Burgum)**

House Bill No. 137. A Bill for an Act Amending and Re-enacting Section 7812 of the Compiled Laws of North Dakota for the Year 1913, as to the Furnishing of Surety for Costs in District Court Actions by Plaintiffs Who Are Non-Residents of the State or Foreign Corporations Other Than United States Corporations; and Declaring an Emergency.

Introduction, first reading, reference, 377.  
Reported back, amended, 630.  
General Orders, 706.  
Engrossed, 717.  
Second reading, 795.  
Sent to the Senate, 877.  
Returned, unchanged, 1618.  
Enrolled, 1687.  
Signed by Speaker, 1732.  
Sent to the Senate for signing, 1734.  
Sent to the Governor, 1883.

**House Bill No. 138—(Burgum)**

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 8117 and 8118 of the Compiled Laws of North Dakota for the Year 1913, and to Protect Mortgagors, Judgment Debtors, Redemptioners During Period of Redemption and After Foreclosure or Execution Sales and Purchasers



at Such Sales, Against Waste, Permitting Payment of Taxes, Interest, and Insurance Premiums, and Declaring an Emergency.

Introduction, first reading, reference, 377.  
 Reported back, amended, 884.  
 General Orders, 924.  
 Engrossed, 978.  
 Second reading, 1002, 1003, (Indefinitely postponed on motion).

**House Bill No. 139—(Burgum)**

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, and to Provide for the Furnishing of Surety for Costs by Plaintiffs Who Are Non-Residents or Corporations Other Than United States Corporations; Declaring an Emergency.

Introduction, first reading, 377.  
 Reference, 378.  
 Reported back, amended, 664.  
 General Orders, 711.  
 Engrossed, 747.  
 Second reading, 851.  
 Re-engrossed, 882.  
 Sent to the Senate, 947.  
 Returned, unchanged, 1618.  
 Enrolled, 1687.  
 Speaker signed, 1751.  
 Sent to the Senate, 1786.  
 Returned, signed, 1845.  
 Sent to the Governor, 1882.

**House Bill No. 140—(Greiser)**

House Bill No. 140. A Bill for an Act Relating to Public Utilities, Reports of Public Utilities to the Board of Railroad Commissioners; Valuations of Public Utilities Made by the Board of Railroad Commissioners; Duties of State Board of Equalization and/or State Tax Commissioner.

Introduction, first reading, reference, 378.  
 Reported back, amended, 630.  
 General Orders, 706.  
 Engrossed, 716.  
 Second reading, 796.  
 Sent to the Senate, 877.  
 Returned, unchanged, 1676.  
 Enrolled, 1750.  
 Speaker signed, 1753.  
 Sent to the Senate for signing, 1786.  
 Returned, signed, 1848.  
 Sent to the Governor, 1885.

**House Bill No. 141—(Godwin)**

House Bill No. 141. A Bill for an Act Making it the Duty of the State Board of Equalization to Reassess Certain Classes of Property When Any General Tax Levied Against

the Property Shall Be Adjudged Illegal and Non-enforcible or Shall Be Set Aside by Any State Court or Federal Court of Competent Jurisdiction and Limiting the Bringing of Actions Against the State for Recovery of Taxes Paid.

Introduction, first reading, reference, 378.  
 Reported back, do pass, 1195.  
 Second reading, 1299.  
 Engrossed, 1327.  
 Sent to the Senate, 1331.  
 Returned, unchanged, 1892.  
 Enrolled, 1907.  
 Speaker signed, 1940.  
 Sent to the Senate for signing, 1958.  
 Returned, signed, 1996.  
 Sent to the Governor, 2037.

**House Bill No. 142**—(Trydahl, Saumur, and Peterson of Ren-ville).

House Bill No. 142. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special and Independent School Districts; Requiring Establishment of Polling Places for Each 6,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 378.  
 Reported back, do pass, 472.  
 Second reading, 520.  
 Sent to the Senate, 560.  
 Returned, amended, 785.  
 Other action, 786, 787.  
 Enrolled, 811.  
 Speaker signed, 828.  
 Sent to the Senate for signing, 830.  
 Returned, signed, 874.  
 Sent to the Governor, 880.  
 Governor signed, 969.

**House Bill No. 143**—(Trydahl, Saumur, and Peterson of Ren-ville)

House Bill No. 143. A Bill for an Act to Eliminate the Necessity of Holding Elections to Fill Vacancies in Offices in Special School Districts, Independent School Districts and School Districts Organized Under Special Law, When no More Nominations Have Been Made Than There Are Vacancies to Be Filled; and to Provide That in Such Cases the Nominees Shall Be Declared Elected, Without the Necessity of a Vote of the Electors Upon such Nominees; and Declaring an Emergency.

Introduction, first reading, reference, 378.  
 Reported back, do pass, 471.  
 Second reading, indefinitely postponed on motion, 521.

**House Bill No. 144**—Wick and Trydahl)

House Bill No. 144. A Bill for an Act to Amend and Re-

enact Section 5 of the "Liquor Control Act" initiated by Petition and Enacted by the People of the State of North Dakota at the State-Wide General Election, Held on November 3, 1936.

Introduction, first reading, 378.  
Reference, 379.  
Reported back, indefinitely postponed, 664.

**House Bill No. 145—(Benno, Frazier, and Niewoehner)**

House Bill No. 145. A Bill for an Act Providing for a Transfer of Certain School Lands Situated in Bottineau County, State of North Dakota, with the Buildings Thereon, to the State Historical Society to Be Used and Maintained as a Part of the State Public Park System, and Providing for an Appropriation to Reimburse the Permanent School Fund of the Senate, and declaring an emergency.

Introduction, first reading, reference, 379.  
Reported back, do pass, 437.  
Engrossed, 498.  
Second reading, 483.  
Sent to the Senate, 501.  
Returned, unchanged, 713.  
Enrolled, 747.  
Speaker signs, 755.  
Sent to the Senate for signing, 756.  
Returned, signed, 825.  
Sent to the Governor, 827.  
Governor signs, 969.

**House Bill No. 146—(Ireland and Solberg)**

House Bill No. 146. A Bill for an Act to Protect the Public Health and Morals by Prohibiting the Employment of Females Under the Age of Eighteen Years in Certain Places Where Beer or Alcoholic Beverages Are Sold, Providing a Penalty for the Violation of the Provisions Hereof, and Declaring an Emergency.

Introduction, first reading, reference, 379.  
Reported back, amended, 472.  
General Orders, 490.  
Second reading, 544.  
Engrossed, 530.  
Sent to the Senate, 598.  
Returned, indefinitely postponed, 824.

**House Bill No. 147—(Knutson of LaMoure)**

House Bill No. 147. A Bill for an Act to Amend and Re-enact Section 17, of Chapter 148, of the Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

Introduction, first reading, reference, 409.  
Reported back, indefinitely postponed, 564.

**House Bill No. 148—(Kraus and Fitch)**

House Bill No. 148. A Bill for an Act Relating to the

**Crime of Kidnaping and Offenses Connected Therewith; and  
and Providing Penalties Therefor.**

Introduction, first reading, reference, 409.  
Reported back, divided report both for amendment, 535.  
Returned to committee for correction of report, 503.  
General Orders, indefinitely postponed, 582.

**House Bill No. 149—(Gessner and Gilberg)**

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 635 of the Compiled Laws of 1913, Relating to the Time When Appropriations Made by the Legislative Assembly Shall Become Available, and Prohibiting Any Department, Institution, Industry, Board, Bureau or Commission for Which Appropriation is Made, from Incurring Expense or Liability in Excess of Appropriation Available During Any Period; and Declaring an Emergency.

Introduction, first reading, reference, 409.  
Reported back, indefinitely postponed, 779.

**House Bill No. 150—(Jensen, Bieloh, Semerad)**

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 5, of Chapter 166, of the 1929 Session Laws of the State of North Dakota, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

Introduction, first reading, 409.  
Reference, 410.  
Reported back, amended, 983.  
General Orders, 1036.  
Engrossed, 1133.  
Second reading, 1162.  
Sent to the Senate, 1190.  
Returned, amended, 1864.  
Other action, 1864.  
Senate requests return, 1867.  
Returned, 1867.  
Senate re turns bill, amended, 1905.  
Other action, 1905.  
Reconsidered, 1906.  
Final passage, 1908.  
Other action and re-engrossment, 1947.  
Enrolled, 1948.  
Speaker signs, 2026.  
Sent to the Senate for signing, 2032.  
Returned, signed, 2053.  
Sent to the Governor, 2072.

**House Bill No. 151—(Olson of Adams-Hettinger)**

House Bill No. 151. A Bill for an Act Providing for the Licensing and Operating of All Slot Machines, Ball Machines, Mechanical Weighers, Mechanical Venders, and All Other Machines or Mechanical Devices or Apparatus, Operated or Played, by Inserting a Coin, Slug or Other Object and Prohibiting the Manufacturing, Owning, Operating, Selling,

Possessing, Leasing, or Transporting of Any Such Mechanical Device or Machine Not Duly Licensed; Empowering the Regulatory Department and Attorney General to Classify Such Slot Machines; Requiring the Destruction of All Machines or Devices of Similar Nature Condemned by Attorney General and the Director of the Regulatory Department; Making Unlawful Any Machine of a Similar Nature Not Duly Licensed; Requiring the Regulatory Department, All Peace Officers, the Attorney General, and All State's Attorneys of the State to Enforce This Act; Providing Penalty for Violation; Continuing in Effect Present Statutory Provisions Prohibiting or Regulating Slot Machines Until This Act Shall Become Effective; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 410.

Reported back, amended, 1143.

General Orders, indefinitely postponed, 1681.

**House Bill No. 152—(Niewoehner and Goodlaxon)**

House Bill No. 152. A Bill for an Act Repealing Section 2173 of the Compiled Laws of North Dakota, 1913, Dealing With Contract Between County Commissioners and Sheriff for Collection of Delinquent Personal Property Taxes on Percentage Basis.

Introduction, first reading, reference, 410.

Reported back, indefinitely postponed, 503.

**House Bill No. 153—(Bjornson and Godwin)**

House Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18, of Chapter 101, of the Session Laws of 1927, and Acts Amendatory Thereto, Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respects to Who May Follow the Occupation of Barbering; and Regulate the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

Introduction, first reading, reference, 410.

Reported back, indefinitely postponed, 719.

**House Bill No. 154—(Caddell and Wolf)**

House Bill No. 154. A Bill for an Act to Appropriate the Sum of One Hundred and Thirty Thousand Dollars (\$130,000.00) from any Moneys in the State Highway Department Fund for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River Between Sioux County and Emmons County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919, (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913), as Amended and Re-enacted by Chapter 161, Laws of 1927, at or Near the Point Commonly Known and Referred to as the "Cannonball Sounding" Heretofore Made; and Directing the State Highway Commission to Construct Such Bridge and Do All Necessary Preliminary Work; and Declaring an Emergency.

Introduction, and first reading, 410.  
 Reference, 411.  
 Re-referred, 504.  
 Reported back, indefinitely postponed, 664.

**House Bill No. 155—(Knutson of LaMoure)**

House Bill No. 155. A Bill for an Act to Be Known as the "Unfair Sales Act"; to Prevent Deceptive Merchandising Practices; to Restrain Unfair Competition in Trade and Industry; to Protect Fair Trade Practices in Distribution of Merchandise; to Define Various Terms Used in Said Act; and Providing Penalty for Violation of the Act.

Introduction, first reading and reference, 411.  
 Reported back, indefinitely postponed, 749.

**House Bill No. 156—(Rait)**

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1937 and 1938, for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Introduction, first reading, reference, 411.  
 Reported back, do pass, 551.  
 Second reading, 572.  
 Sent to Senate, 649.  
 Returned to House, unchanged, 1618.  
 Enrolled, 1687.  
 Speaker signed, 1732.  
 Sent to Senate for signing, 1734.  
 Returned signed, 1846.  
 To Governor, 1882. (Governor signed)

**House Bill No. 157—(Thoreson, by request)**

House Bill No. 157. A Bill for an Act Fixing the Amount of Bonds Which May Be Required from Dealers in Intoxicating Liquors, Either at Wholesale or Retail, Within the State of North Dakota.

Introduction, first reading, reference, 441.  
 Reported back, amended, 665.  
 General Orders, 730.  
 Other action, 749, 852, 884.  
 Second reading, indefinitely postponed, 962.

**House Bill No. 158—(Semerad)**

House Bill No. 158. A Bill for an Act to Amend and Re-enact Section 2170 of the 1913 Compiled Laws of the State of North Dakota, Relating to Removal and Disposal of Personal Property on Which Taxes Remain Unpaid.

Introduction, first reading, reference, 441.  
 Reported back, indefinitely postponed, 594.

**House Bill No. 159—(McIntee, by request)**

House Bill No. 159. A Bill for an Act to Amend and Re-enact Section 5½ of Chapter 180 of the Session Laws of 1927, and as Amended by Chapter 187 of the Session Laws of 1931, Being an Act to Require Registration Cards and Fixing the Place of Carrying Same on Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; and to Impose Penalties for Violation of this Act.

Introduction, first reading, reference, 441.  
Reported back, indefinitely postponed, 595.

**House Bill No. 160—(Solberg, Seibel and Ireland)**

House Bill No. 160. A Bill for an Act Amending and Re-enacting Chapter 242 of the 1931 Session Laws of the State of North Dakota; Defining High Schools and Schools Doing High School Work, and Providing That Superintendent of Public Instruction Shall Provide State Course of Study for High Schools as Herein Defined.

Introduction, first reading, reference, 441.  
Reported back, do pass, 595.  
Second reading, 643.  
Sent to Senate, 658.  
Returned, amended, 1692.  
Other action, 1693, 1740, 1764, 1766, 1790.  
Enrolled, 1806.  
Speaker signed, 1868.  
Sent to Senate for signing, 1943.  
Returned, signed, 1945.  
To Governor, 2034. (Governor signed)

**House Bill No. 161—(Nellie Olson)**

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913, Being Section 13, of Chapter 189, Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Introduction, first reading, reference, 441.  
Reported back amended, 983.  
General Orders, 1036.  
Engrossed, 1132.  
Second reading, indefinitely postponed, 1163.

**House Bill No. 162—(Wolf, Dalzell and O'Brien)**

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119, Session Laws of 1929, Relating to Licenses of Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories and Cream Stations; Providing for the Distribution of License Moneys; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 442.  
 Reported back, do pass, 815.  
 Second reading, 904.  
 Sent to Senate, 947.  
 Returned unchanged, 1893.  
 Enrolled, 1922.  
 Speaker signed, 1940.  
 Sent to Senate for signing, 1958.  
 Returned signed, 1996.  
 To Governor, 2037.

**House Bill No. 163—(Byrne)**

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 4969, Compiled Laws of North Dakota for 1931; Requiring Accident and Sickness Insurance Corporations, Associations or Societies to Have and Maintain Admitted Assets of \$5,000.00; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, reference, 442.  
 Reported back, amended, 631.  
 General Orders, 707.  
 Engrossed, 716.  
 Other action, 797, 938, 970, 1049.  
 Second reading, 1076.  
 Sent to Senate, 1133.  
 Returned unchanged, 1676.  
 Enrolled, 1748.  
 Speaker signed, 1751.  
 Sent to Senate for signing, 1786.  
 Returned signed, 1844.  
 To Governor, 1882. (Governor signed)

**House Bill No. 164—(Godwin, Treffry and Kapaun)**

House Bill No. 164. A Bill for an Act for the Purpose of Establishing a Six-Man Game and Fish Commission, They to Have Power to Appoint a Director of Game and Fish, and to Conduct Other Business Pertaining to Game and Fish; Repeal Chapter 130 of the Session Laws of 1929; All Acts and Parts of Acts in Conflict Herewith Are Hereby Repealed.

Introduction, first reading, reference, 442.  
 Reported back, amended, 750.  
 General Orders, 805.  
 Engrossed, 882.  
 Second reading, 903. (Two-thirds vote necessary for passage)

**House Bill No. 165—(Shure)**

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3802 Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Introduction, first reading, reference, 476.  
 Reported back, indefinitely postponed, 595.  
 Other action, 614, 631.  
 Second reading, 699.  
 Sent to Senate, 746.  
 Returned to House, indefinitely postponed, 1678.



**House Bill No. 166—(Godwin)**

House Bill No. 166. A Bill for an Act Creating a Fund to Be Known as the Industrial Commission Fund to Be Used by the Industrial Commission of the State of North Dakota for the Payment of Expenses Incurred When Engaged in the Performance of their Duties and Carrying Out the Provisions of Chapter 151 of the Session Laws of North Dakota for the Year 1919 at Places Other Than in the City of Bismarck, North Dakota; Making an Appropriation to Said Fund; and Declaring an Emergency.

Introduction, first reading, reference, 477.  
Reported back, amended, 562.  
General Orders, 585.  
Other action, 653, 625, 704.  
Second reading, 788.  
Other action, 831, 832.  
Sent to Senate, 878.  
Returned, indefinitely postponed, 1530.

**House Bill No. 167—(Godwin)**

House Bill No. 167. A Bill for an Act Making an Appropriation to Cover a Deficit in the Office of Securities Commission; to Provide for Expenses Necessary to Carry on an Investigation Ordered by the Legislature; Making an Appropriation and Declaring an Emergency.

Introduction, first reading, reference, 477.  
Reported back, amended, 561.  
General Orders, 584.  
Other action, 625, 641, 660.  
Second reading, 689.  
Sent to Senate, 718.  
Returned, indefinitely postponed, 1740.

**House Bill No. 168—(Committee on Education)**

House Bill No. 168. A Bill for an Act to Amend and Re-enact Chapter 229 of the 1933 Session Laws of the State of North Dakota, as Amended by Chapter 260 of the Session Laws of 1935; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Report; Repeal of All Acts in Conflict Herewith.

Introduction, first reading, reference, 477.  
Reported back, amended, 1147.  
General Orders, 1236.  
Other action, 1271, 1293, 1323.  
Second reading, 1324.  
Sent to Senate, 1331.  
Came to House amended, 1271.  
Other action, 1919, 1920, 1993.  
Enrolled, 1994.

Speaker signed, 1994.  
 Sent to Senate, 2018.  
 Returned signed, 2040.  
 To Governor, 2076. (Governor signed)

**House Bill No. 169—(Committee on Education)**

House Bill No. 169. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of This State and to Fix Minimum Salaries.

Introduction, first reading, reference, 477.  
 Reported back, indefinitely postponed, 569.

**House Bill No. 170—(Committee on Education)**

House Bill No. 170. A Bill for an Act to Provide That the School Census in All Types of School Districts Shall Be Conducted in Odd Numbered Years Only; Repeal, and Declaring an Emergency.

Introduction, first reading, reference, 477.  
 Reported back, amended, 596.  
 General orders, 617.  
 Engrossed, 655.  
 Second reading, 692.  
 Sent to Senate, 746.  
 Returned to House unchanged, 1529.  
 Enrolled, 1624.  
 Speaker signed, 1632.  
 Returned to Senate for signing, 1655.  
 Came to House signed, 1675.  
 To Governor, 1780. (Governor signed)

**House Bill No. 171—(Rait)**

House Bill No. 171. A Bill for an Act Entitled, An Act to Amend Section 3696 of the Compiled Laws of 1913 Relating to the Removal of Ice and Snow From Sidewalks and Assessment of the Expense to the Abutting Property.

Introduction, first reading, reference, 477.  
 Reported back, indefinitely postponed, 565.

**House Bill No. 172—(Frazier)**

House Bill No. 172. A Bill for an Act Providing for the Means and Method of Obtaining Possession of Personal Property Covered by a Lien or Reservation of Title in Conditional Sales Contracts, and Prohibiting the Taking of Same by the Holder of Title Under Conditional Sales Contract Mortgage or Other Lien, Without Process of Court, and Declaring an Emergency.

Introduction, first reading, reference, 505.  
 Reported back, amended, 885.  
 General Orders, 925.  
 Engrossed, 979.  
 Second reading, 1004. Lost.

**House Bill No. 173—(Byrne)**

House Bill No. 173. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 152 of the Session Laws of North Dakota for 1935, Relating to the Licensing of Resident Agents for Surety and Insurance Companies Other Than Life Insurance Companies; and Declaring an Emergency.

Introduction, first reading, reference, 505.  
 Reported back, amended, 631.  
 General Orders, 707.  
 Engrossed, 717.  
 Second reading, 797.  
 Sent to Senate, 878.  
 Returned unchanged, 1677.  
 Enrolled, 1748.  
 Speaker signed, 1751.  
 Returned to Senate for signing, 1784.  
 Came to House signed, 1845.  
 To the Governor, 1882. (Governor signed)

**House Bill No. 174—(Seibel)**

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1178 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Teachers, How Employed, and Their Salaries.

Introduction, first reading, reference, 505.  
 Reported back, amended, 596.  
 General orders, indefinitely postponed, 618.

**House Bill No. 175—(Graham)**

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Provided for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 506.  
 Reported back, indefinitely postponed, 1196.

**House Bill No. 176—(Morland and Sand)**

House Bill No. 176. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, and Providing for the Creation of a Permanent Fund; Prescribing How Obtainable, Its Limits, Ownership, Uses, to Whom Obtainable and Other Procedure Thereunder, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, reference, 506.  
 Reported back, indefinitely postponed, 671.

**House Bill No. 177—(Hagen)**

House Bill No. 177. A Bill for an Act Authorizing the

Secretary of Agriculture and Labor to Issue an Official Brand Book Showing All the Livestock Brands Now of Record in His Office, Making the Same Receivable in Evidence as Proof of Brands and the Ownership Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, reference, 506.  
 Re-referred, 560.  
 Reported back, do pass, 632.  
 Second reading, 700.  
 Sent to Senate, 745.  
 Returned unchanged, 1474.  
 Enrolled, 1547.  
 Speaker signed, 1556.  
 Returned to Senate for signing, 1569.  
 Came to House signed, 1620.  
 Sent to Governor, 1636.  
 Partial veto (reduced \$750.00) 1928.  
 Returned to Governor, 2071.

**House Bill No. 178—(Hagen)**

House Bill No. 178. A Bill for an Act Making an Appropriation for the Purpose of Paying Rental and Eliminating Toll Charges on the Great Northern Railway Company's Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Authorizing the State Highway Commissioner to Enter Into a Contract With the Great Northern Railway Company to Provide Free Crossing to Vehicle and Traffic Over Said Bridge.

Introduction, first reading, reference, 506.  
 Reported back, do pass, 720.  
 Second reading, 791.  
 Sent to Senate, 813.  
 Returned to House, amended, 1561.  
 Other action, 1561, 1565, 1622.  
 Enrolled, 1623.  
 Speaker signed, 1633.  
 Returned to Senate for signing, 1656.  
 Came to House signed, 1674.  
 Sent to Governor, 1781. (Governor signed)

**House Bill No. 179—(Traynor and Stray)**

House Bill No. 179. A Bill for an Act Making it Unlawful to Obtain or Attempt to Obtain Relief by False and Fraudulent Representation.

Introduction, first reading, reference, 506.  
 Reported back, amended, 561.  
 General Orders, 584.  
 Engrossed, 625.  
 Second reading (amended) 640.  
 Re-engrossed, 656.  
 Sent to Senate, 658.  
 Returned to House unchanged, 1528.  
 Enrolled, 1623.  
 Speaker signed, 1633.  
 Returned to Senate for signing, 1656.  
 Came to House signed, 1674.  
 Sent to Governor, 1779. (Vetoed)

**House Bill No. 180—(Traynor and Stray)**

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 97 of the Session Laws of 1933, Providing Duty of Relative to Aid and Right of Recovery by County or County Welfare Board.

Introduction, first reading, reference, 507.

Reported back, do pass, 632.

Second reading, 702-703.

Sent to Senate, 746.

Returned to House unchanged, 1529.

Enrolled, 1623.

Speaker signed, 1632.

Returned to Senate for signing, 1655.

Came to House signed, 1675.

Sent to Governor, 1780. (Vetoed)

**House Bill 181—(Sand, Thoreson and Holm)**

House Bill No. 181. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Five Hundred Dollars or Less, Secured or Unsecured, at a Greater Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violation Thereof, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

Introduction, first reading, reference, 537.

Reported back, re-referred, 720.

Reported back, indefinitely postponed, 738.

**House Bill No. 182—(Frazier)**

House Bill No. 182. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of That Certain Initiated Measure Approved by the People of North Dakota on June 29, 1932, Reducing and Fixing Salaries of County Officials; Providing for Appointment of Certain Deputies, Clerks and Assistants, Fixing Their Salaries; for Payment of All Fees to County, Etc., Repealing Certain Acts in Conflict with Such Initiated Measure, and Declaring an Emergency.

Introduction, first reading, reference, 537.

Reported back, indefinitely postponed, 665, 666.

**House Bill No. 183—(Freitag, Thoreson and Sand)**

House Bill No. 183. A Bill for an Act Authorizing County, Municipal, Township and School Board Officials to Waive the Furnishing of Surety or Personal Bonds, Where Such Funds are Insured in the Federal Deposit Insurance Corporation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 537.

Reported back, amended, 633.

General Orders, 708.

Engrossed, 716.

Second reading (amended) 799. Lost.  
 Other action, 831, 857, 832, 833.  
 Final passage, 918.  
 Sent to Senate, 947.  
 Returned to House unchanged, 1529.  
 Enrolled, 1624.  
 Speaker signed, 1632.  
 Returned to Senate for signing, 1655.  
 Came to House signed, 1675.  
 To Governor, 1780. (Governor signed)

**House Bill No. 184—(Jensen, by request)**

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 11281 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Commitment to the State Training School of Certain Persons Under the Age of 25 Years Convicted in the Courts of This State, by Order of the Court; Repealing Acts in Conflict Herewith; Declaring an Emergency.

Introduction, first reading, reference, 538.  
 Reported back, indefinitely postponed, 936.

**House Bill No. 185—(Godwin)**

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 3733 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Sale of Real Property to Enforce Collection of Delinquent Special Assessments, Relating to the Bidding in of Same When No Bidders at Sale, Relating to Damages to Warrant Holders When Statutory Proceedings Not Followed, Providing a Validating Clause, Making Provisions of This Bill Retroactive, Providing a Saving Clause, and Declaring an Emergency.

Introduction, first reading, reference, 538.  
 Reported back, amended, 984.  
 General Orders, 1037.  
 Engrossed, 1132.  
 Second reading, 1163.  
 Sent to Senate, 1190.  
 Returned unchanged, 1879.  
 Enrolled, 1921.  
 Speaker signed, 1940.  
 Returned to Senate for signing, 1959.  
 Came to House signed, 1997.  
 To Governor, 2036. (Governor signed)

**House Bill No. 186—(Fitch)**

House Bill No. 186. A Bill for an Act Amending and Re-enacting Sections 4, 7 and 8 of Chapter 91 of the 1935 Session Laws of North Dakota, Relating to the Creating of a State Athletic Commission; Prescribing Its Powers and Duties; Providing Penalties for Violations and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 538.  
 Reported back, do pass, 633.  
 Second reading, 787. Indefinitely postponed on motion.

**House Bill No. 187—(Fitch)**

House Bill No. 187. A Bill for an Act Making an Appropriation to Provide Funds for the State Athletic Commission of the State of North Dakota for the Purpose of Paying Salary of Secretary and Commissioner and Furnishing Supplies and Equipment.

Introduction, first reading, reference, 538.  
Reported back, indefinitely postponed, 965.

**House Bill No. 188—(Godwin, Sand and Savre)**

House Bill No. 188. A Bill for an Act Authorizing Any Banking Institution to Establish Stations for Receiving of Deposits and the Payment of Checks and Similar Bank Paper, Subject to the Approval and Supervision of the State Banking Board, and Prohibiting Branch Banking.

Introduction, first reading, reference, 539.  
Reported back, amended, 815.  
General Orders, 866.  
Engrossed, 932.  
Second reading, 952.  
Sent to Senate, 1046.  
Came to House, unchanged, 1892.  
Enrolled, 1922.  
Speaker signed, 1940.  
Returned to Senate for signing, 1959.  
Came to House signed, 1997.  
To Governor, 2036. (Governor signed)

**House Bill No. 189—(Godwin, Wendland and Sand)**

House Bill No. 189. A Bill for an Act to Amend Section 22, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to the Responsibility of Shareholders of State Bank Stock.

Introduction, first reading, reference, 539.  
Reported back, do pass, 815.  
Second reading, 906.  
Sent to Senate, 907-947.  
Returned unchanged, 1850.  
Enrolled, 1896.  
Speaker signed, 1941.  
Sent to Senate for signing, 1958.  
Returned to House signed, 1997.  
To Governor, 2037. (Governor signed)

**House Bill No. 190—(Burgum)**

House Bill No. 190. A Bill for an Act to Amend and Re-enact Section 4 of That Certain Initiated Measure Known as the Liquor Control Act Entitled, "An Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale, and Dispensing of Alcohol and Alcoholic Beverages in the State of North Dakota: Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues From Such Licenses

and Taxes; Providing Penalties for Violations of the Provisions of Said Act; Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith"; and Approved at a State-wide Election Held on November 3, 1936, and Providing for the Calling and Holding of Special Elections in Counties to Determine Whether or Not Intoxicating Liquors Should Be Sold Therein, and the Time and Manner of Holding Such Elections; Providing for a Suspension of Said Liquor Control Act in Such Counties Determined by the Results of Such Elections; Providing for the Re-enactment of All Laws Prohibiting the Sale of Intoxicating Liquor Existing Prior to the Enactment of Said Initiated Measure Known as the Liquor Control Act, Including the Penalties Therein Prescribed, Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Introduction, first reading, reference, 539.  
 Reported back, amended, 894, 895.  
 General Orders, 926.  
 Engrossed, 1000.  
 Second reading (amended) 1008. Lost.

**House Bill No. 191—(Wolf, Krank, Sticka and Obach)**

House Bill No. 191. A Bill for an Act Granting to the Bank of North Dakota Power to Make Loans in Aid to Industry.

Introduction, first reading, reference, 539.  
 Reported back, indefinitely postponed, 722.

**House Bill No. 192—(Holmquist, by request)**

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913 as Amended by Chapter 138 of the Laws of 1935.

Introduction, first reading, reference, 540.  
 Reported back, indefinitely postponed, 672.

**House Bill No. 193—(Olson of Adams, O'Brien and Semerad)**

House Bill No. 193. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Board in Poor Relief Cases to Employ Medical, Osteopathic, Chiropractic Physicians, or Other Legally Licensed Practitioners of the State of North Dakota, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 540.  
 Reported back, do pass, 750.  
 Second reading, 838.  
 Sent to Senate, 878.  
 Returned, indefinitely postponed, 1880.

**House Bill No. 194—(Burgum)**

House Bill No. 194. A Bill for an Act Creating the Of-



Office of Chaplain and Social Service Director for the State Training School at Mandan; Specifying the Duties and Privileges; Fixing the Salary; Providing for Payment of Expenses and Declaring an Emergency.

Introduction, first reading, reference, 540.  
Reported back, indefinitely postponed, 1148.

**House Bill No. 195**—(Morland, Holmquist and Olson of Adams)

House Bill No. 195. A Bill for an Act to Provide a Plan for Assistance or Pensions for the Blind; to Secure the Benefits of the Act of Congress of the United States Known as the "Social Security Act" Enabling the States to Make More Adequate Provisions for Blind Persons; Establishing a State Agency to Administer the Plan; Creating a Fund for the Payment of the Assistance Herein Provided and the Expenses of Administering the Plan; Designating and Prescribing the Persons Entitled to Assistance or Pensions and Other Benefits Provided by this Act; Prescribing Penalties for Violation of the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act; and Levying a Tax for the Creation of the Fund.

Introduction, first reading, reference, 540.  
Other action, 1091, 1196.  
Reported back, indefinitely postponed, 1258.

**House Bill No. 196**—(Niewoehner and Biberdorf)

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 189c14 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 12 of Chapter 153 Session Laws of 1935 Relating to Collection of Premiums for Fire and Tornado Insurance on Public Buildings and Investment by the State Treasurer, and Declaring an Emergency.

Introduction, first reading, reference, 540, 541.  
Reported back, amended, 633, 634.  
General Orders, 708.  
Engrossed, 716.  
Other action, 800.  
Second reading, 800.  
Sent to Senate, 814.  
Returned unchanged, 1677.  
Enrolled, 1750.  
Speaker signed, 1752.  
Returned to Senate for signing, 1786.  
Came to House signed, 1849.  
To Governor, 1886. (Governor signed)

**House Bill No. 197**—(Peterson of Renville)

House Bill No. 197. A Bill for an Act Providing for the Exemption of All Farm Machinery Used for Actual Farming From Taxation While So Used, and Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Introduction, first reading, reference, 541.  
Reported back, indefinitely postponed, 751.

**House Bill No. 198—(Schauss, Morris and Olson)**

House Bill No. 198. A Bill for an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and in Providing Child Welfare Services in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Introduction, first reading, reference, 541.  
 Reported back, amended, 995.  
 General Orders, 1042.  
 Engrossed, 1131.  
 Second reading, 1308.  
 Sent to Senate, 1329.  
 Returned amended, 1766.  
 Other action, 1767, 1768, 1794.  
 Enrolled, 1806.  
 Speaker signed, 1868.  
 Returned to Senate for signing, 1943.  
 Came to House signed, 1945.  
 To Governor, 2035. (Governor signed)

**House Bill No. 199—(Morris, Olson of Adams and Schauss)**

House Bill No. 199. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto; Providing for Allocation of Funds to Counties for Relief Purposes; Repealing All Acts and Parts of Acts in Conflict With This Act; and Declaring an Emergency.

Introduction, first reading, reference, 541.  
 Reported back, amended, 996.  
 General Orders, 1042.  
 Other action, 1180, 1258.  
 Second reading, 1287.  
 Sent to Senate, 1330.  
 Returned amended, 1769.  
 Other action, 1771, 1794.  
 Enrolled, 1839.  
 Speaker signed, 1868.  
 Returned to Senate for signing, 1943.  
 Came to House signed, 1996.  
 To Governor, 2071. (Governor signed)

**House Bill No. 200—(Schauss)**

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 286, Session Laws 1935, to Include Sheriffs, Village Marshals and Constables as Employees within the Contemplation of the Workmen's Compensation Act.

Introduction, first reading, reference, 541.  
 Reported back, amended, 666.  
 General Orders, indefinitely postponed, 731.  
 Other action, 764, 858.

**House Bill No. 201—(Committee on Livestock)**

House Bill No. 201. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who are Dealers; Act Not Applicable, To Whom: License and Bond Required; Duties of Carrier When Shipment of Livestock and Poultry Offered; Powers and Duties of Railroad Commission; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act Authorizing the Board of Railroad Commissioners to Apply to the District Court for its Appointment as Trustee for the Benefit of Holders of Claims Against Livestock Dealers and Livestock or Poultry Purchased by Said Dealers, and to Marshal the Trust Assets of Such Insolvent and Distribute Such Trust Assets Among Such Claimants; Penalty for Violation of Act; and, Repealing All of Chapter 2 of the Session Laws of the State of North Dakota for the year 1935; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Introduction, first reading, reference, 541.

Reported back, amended, 822.

General orders, 868.

Engrossed, 933.

Second reading, 958 (amended).

Re-engrossed, 979.

Sent to Senate, 1047.

Returned unchanged, 1738.

Enrolled, 1776.

Speaker signed, 1778.

Sent to Senate for signing, 1834.

Came to House signed, 1914.

To Governor, 1990. (Governor signed)

**House Bill No. 202—(Magill)**

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 11269b4 of the Supplement to the Compiled Laws of 1913 Relating to Compensation to Be Paid as Relief for Wrongful Imprisonment.

Introduction, first reading, reference, 542.

Reported back, indefinitely postponed, 938.

**House Bill No. 203—(Schauss and Peterson of Renville)**

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 201 of the 1935 Session Laws Relating to Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, reference, 568.

Reported back, indefinitely postponed, 634.

Reconsidered, placed on calendar, 659.

Second reading, 688.

Sent to Senate, 718.

Returned amended, 1695.

Other action, 1695, 1697, 1747.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Returned to Senate for signing, 1784.  
 Came to House signed, 1849.  
 To Governor, 1886. (Governor signed)

**House Bill No. 204**—(Bjornson, Peterson of Renville, Olson of Bowman, Ritter and Morland)

House Bill No. 204. A Bill for an Act Amending and Re-enacting Section 3274 of the 1913 Compiled Laws of North Dakota Relating to the Authority of County Commissioners to Sell County Real and Personal Property; Authorizing the County Commissioners to Reserve All or Any Part of the Oil, Gas, Coal and/or Mineral Rights in Land so Sold; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 568.  
 Reported back, do pass, 1051.  
 Second reading, 1169 (amended).  
 Re-engrossed, 1182.  
 Sent to Senate, 1191.  
 Returned unchanged, 1619.  
 Enrolled 1688.  
 Speaker signed, 1707.  
 Sent to Senate for signing, 1733.  
 Came to House signed 1847.  
 To Governor, 1884. (Governor signed).

**House Bill No. 205**—(Thompson and Day)

House Bill No. 205. A Bill for an Act Directing the Sale or Lease of the State Mill and Elevator, and Declaring an Emergency.

Introduction, first reading, reference, 569.  
 Reported back, indefinitely postponed, 672.

**House Bill No. 206**—Jensen, by request)

House Bill No. 206. A Bill for an Act Making an Appropriation for the Erection of a Building for Trades Industrial and Vocational Training at the State Training School at Mandan, North Dakota; Such Building to Be Erected Under the Supervision and Direction of the Superintendent of Said Training School and the Board of Administration.

Introduction, first reading, reference, 569.  
 Reported back, indefinitely postponed, 1149.

**House Bill No. 207**—(Burgum)

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 165 of the Session Laws of North Dakota for 1927 Relating to Holidays.

Introduction, first reading, reference, 569.  
 Reported back, do pass, 675.

Second reading, 764.  
 Sent to Senate, 878.  
 Returned unchanged, 1739.  
 Enrolled, 1774.  
 Speaker signed, 1777.  
 Sent to Senate for signing, 1835.  
 Came to House signed, 1914.  
 To Governor, 1990. (Governor signed)

**House Bill No. 208—(Blair and Norheim)**

House Bill No. 208. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1935 and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Introduction, first reading, reference, 569.  
 Reported back, Indefinitely postponed, 666.  
 Placed on calendar by motion, 666.  
 Second reading, 737.  
 Sent to Senate, 813.  
 Returned indefinitely postponed, 1475.

**House Bill No. 209—(Knutson of LaMoure, by request)**

House Bill No. 209. A Bill for an Act to Protect Trade Mark Owners, Distributors and the Public Against Injurious and Uneconomic Practices in the Distribution of Articles of Standard Quality Under a Distinguished Trade Mark, Brand or Name.

Introduction, first reading, reference, 569.  
 Reported back amended, 1052.  
 Other action, 870, 1052, 1121.  
 Engrossed, 1186.  
 Second reading, 1238.  
 Sent to Senate, 1233.  
 Returned unchanged, 1676.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Sent to Senate for signing, 1786.  
 Came to House signed, 1849.  
 To Governor, 1886. (Governor signed).

**House Bill No. 210—(Schauss and Hagen)**

House Bill No. 210. A Bill for an Act Repealing Chapter 221 of the 1935 Session Laws of the State of North Dakota the Same Being an Act to Create a State Board of Public Welfare; Declaring an Emergency.

Introduction, first reading, reference, 569, 570.  
 Reported back, do pass, 816.  
 Second reading, 908. Lost.

**House Bill No. 211—(Schauss and Hagen)**

House Bill No. 211. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of

North Dakota Being an Act to Amend and Re-enact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners. Making it Optional for the County Commissioners to Establish Such Board; Repealing All Acts in Conflict and Declaring an Emergency.

Introduction, first reading, reference, 570.  
 Reported back, do pass, 816.  
 Second reading, 911. Lost.

**House Bill No. 212—(Freitag)**

House Bill No. 212. A Bill for an Act Requiring Certain Matters to Be Considered by the Board of Railroad Commissioners in Determining Rates to Be Allowed to Public Utilities Under Their Jurisdiction; Repeal.

Introduction, first reading, reference, 570.  
 Reported back, amended, 721.  
 General Orders, 736.  
 Engrossed, 811.  
 Second reading, 834.  
 Sent to Senate, 878.  
 Returned unchanged, 1739.  
 Enrolled, 1774.  
 Speaker signed, 1778.  
 Sent to Senate for signing, 1834.  
 Came to House signed, 1914.  
 To Governor, 1990. (Governor signed)

**House Bill No. 213—(Freitag)**

House Bill No. 213. A Bill for an Act Permitting Boards of County Commissioners in Certain Counties to Levy General Property Taxes for Poor Relief Purposes for the Years 1937 and 1938, and Declaring an Emergency.

Introduction, first reading, reference, 570.  
 Reported back, indefinitely postponed, 667.

**House Bill No. 214—(Brusseau, Dalzell, Page and Symington)**

House Bill No. 214. A Bill for an Act to Validate Actions Heretofore Taken in Cities in Connection With Special Elections of the Question of Erecting Electric Light and Power Systems and Authorizing the Construction of Such Systems, and Declaring an Emergency.

Introduction, first reading, reference, 570.  
 Reported back, amended, 817.  
 General Orders, 867.  
 Engrossed, 932.  
 Second reading, 955.  
 Sent to Senate, 1046.  
 Returned unchanged, 1619.  
 Enrolled, 1687.  
 Speaker signed, 1707.  
 Sent to Senate for signing, 1733.  
 Came to House signed, 1848.  
 To Governor, 1885. (Governor signed)

**House Bill No. 215—(Godwin, Burgum and Fitch)**

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 12, 15, 26 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927 Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, the Qualification of Applicants for Examinations, Certificates and Fees, and to Provide Penalties for Violation Thereof.

Introduction, first reading, reference, 570.  
 Reported back, amended, 1051.  
 General Orders, 1121.  
 Engrossed, 1186.  
 Second reading, indefinitely postponed, 1240.

**House Bill No. 216—(Holmquist)**

House Bill No. 216. A Bill for an Act to Impose an Equalization and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, the Payment of the Tax; the Replacement Feature Thereof, Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Introduction, first reading, reference, 571.  
 Reported back, indefinitely postponed, 752.

**House Bill No. 217—(Twichell, Godwin and Burgum)**

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Introduction, first reading, reference, 571.  
 Reported back, do pass, 721.  
 Second reading, (amended) 845.  
 Other action, 874.  
 Sent to Senate, 875.  
 Returned, amended, 1937.  
 Other action, 1938, 1939, 1993.  
 Enrolled, 2011.

Speaker signed, 2026.  
 Sent to Senate for signing, 2032.  
 Came to House, signed, 2052.  
 To Governor, 2072. (Governor signed)

**House Bill No. 218—(Thompson)**

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 548a7, Supplement to the Compiled Laws of North Dakota for 1913, Relating to License Fees for Pool or Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatre or Moving Picture Shows, Taxicab or Auto Livery and Places Where Soft Drinks, Tobacco or Cigars Are Sold.

Introduction, first reading, reference, 571, 572.  
 Reported back, indefinitely postponed, 670.

**House Bill No. 219—(Caddell and Magill)**

House Bill No. 219. A Bill for an Act Requiring the Adjutant General to Secure Information and Keep Records of and Concerning the Burial Places of Deceased War Veterans Who Died in or Are Buried in the State of North Dakota and to Provide Methods and Means of Performing This Duty.

Introduction, first reading, reference, 571.  
 Reported back, do pass, 817.  
 Second reading, 913 (amended).  
 Engrossed, 933.  
 Sent to Senate, 977.  
 Returned unchanged, 1789.  
 Enrolled, 1839.  
 Speaker signed, 1868.  
 Sent to Senate for signing, 1943.  
 Returned to House signed, 1945.  
 To Governor, 2035. (Governor signed)

**House Bill No. 220—(Caddell and Magill)**

House Bill No. 220. A Bill for an Act to Amend and Re-enact Sections 3181, 3182, 3183, 3184 and 3185 of the Compiled Laws of North Dakota for 1913 Relating to the Burial Duties of the County Judge and Other Officers and Appropriations Relating Thereto.

Introduction, first reading, reference, 572.  
 Reported back, indefinitely postponed, 817.

**House Bill No. 221—(Twichell, Godwin and Burgum)**

House Bill No. 221. A Bill for an Act Permitting and Authorizing the Adoption of Civil Service by Cities Having a Population in Excess of 4,000 According to the Latest Official Census, Federal or State; Providing for Such Adoption by Passage or Ordinance; When Not so Adopted, by Proceeding by Petition and Election Based Thereon; Providing for Abolishing Such Civil Service After Adoption by Vote of Electors; Prescribing Procedure With Respect Thereto; and Penalties for Violations Hereof.



Introduction, first reading, reference, 572.  
 Reported back, do pass, 671.  
 Second reading, 762.  
 Sent to Senate, 813.  
 Returned unchanged, 1619.  
 Enrolled, 1688.  
 Speaker signed, 1707.  
 Sent to Senate for signing, 1733.  
 Came to House signed, 1847.  
 To Governor, 1884. (Governor signed)

**House Bill No. 222—(Schauss)**

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 2618, Compiled Laws of North Dakota for the Year 1913, and Chapter 140 of the Sessions Laws of North Dakota for the Year 1919, Relating to the Herd Law and viding That All Herd Laws Heretofore Established Shall Be Suspended.

Introduction, first reading, reference, 575.  
 Reported back, amended, 1052.  
 General Orders, 1122.  
 Engrossed, 1185.  
 Second reading, indefinitely postponed, 1240.

**House Bill No. 223—(Schauss, Wick, Fitch and Benno)**

House Bill No. 223. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Introduction, first reading, reference, 586.  
 Reported back, do pass, 752.  
 Second reading, 839.  
 Sent to Senate, 947.  
 Returned unchanged, 1474.  
 Enrolled, 1547.  
 Speaker signed, 1554.  
 Sent to Senate for signing, 1569.  
 Came to House signed, 1620.  
 To Governor, 1636.  
 Partial veto, 1927 (Reduced \$3000.00).  
 Returned to Governor, 2071.

**House Bill No. 224—(Schauss and Godwin)**

House Bill No. 224. A Bill for an Act to Provide for the Management and Control of State Institutions of Higher Education; Creating a State Board of Higher Education for the Control of the State Institutions of Higher Education; to Prescribe Its Powers and Duties; to Provide for the Appointment of a Commissioner of Higher Education and to Prescribe His Powers and Duties; to Provide an Appropriation to Carry Out the Purposes of This Act and Repealing All Acts or Parts of Acts in Conflict or Inconsistent Therewith.

Introduction, first reading, reference, 600.  
 Reported back amended, 1275.  
 General Orders, indefinitely postponed, 1293.

**House Bill No. 225—(Schauss)**

House Bill No. 225. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Sub-section G of Section 3, Chapter 162, Session Laws of 1919 as Amended by Chapter 260, Session Laws of 1929 and Chapter 286, Session Laws of 1935; Paragraph F of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 285, Session Laws of 1927 and Chapter 314, Session Laws of 1931; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919 as Amended by Chapter 143, Session Laws of 1921 and Which Appears as Section 396a5 of the 1925 Supplement; the Ninth and Final Paragraph of Section 7 of Chapter 162, Session Laws of 1919 as Amended by Chapter 312, Session Laws of 1931; the Fourth and Fifth Paragraphs of Section 8, Chapter 162, Session Laws of 1919 as Amended by Chapter 315, Session Laws of 1931 and Section 23 of Chapter 162, Session Laws of 1919 Which Also Appears as Section 396a23 of the 1925 Supplement.

Introduction, first reading, reference, 600.  
Reported back indefinitely postponed, 987.

**House Bill No. 226—(Schauss)**

House Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 2763, 2764 and 2766 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Stallion Registration Board, and Repeal All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 600.  
Reported back, amended, 1053.  
General orders, 1123.  
Engrossed, 1186.  
Second reading, 1240.  
Sent to Senate, 1282.  
Returned, indefinitely postponed, 1880.

**House Bill No. 227—(Schauss, Olson of McLean and Obach)**

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 239 of the Session Laws of 1919 Which Also Appears as Section 3009a2 of the 1925 Supplement Relative to the Standard Weight of Coal, Charcoal and Ice to Include Therein Contracts for Transportation and Mining as Well as Sale.

Introduction, first reading, reference, 600, 601.  
Reported back, indefinitely postponed, 1055.

**House Bill No. 228—Freitag)**

House Bill No. 228. A Bill for an Act Amending and Re-enacting Section 3836 of the Compiled Laws of North Dakota for 1913, Providing for Initiating and Enacting Into Law City Ordinance by Petition and Vote of Electors of Cities Under Commission Form of Government, and Cities Organized Under the General Law and Governed by a City

Council, Providing Form of Ballot, Notice of Election, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, reference, 601.  
 Reported back, do pass, 1148.  
 Second reading, 1249.  
 Sent to Senate, 1282.  
 Returned to House, indefinitely postponed, 1740.

**House Bill No. 229—(Freitag)**

House Bill No. 229. A Bill for an Act to Repeal Chapter 267 of the 1935 Session Laws, the Same Being an Amendment and Re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the Year 1929, Relating to the Custodian of the Capitol Building and Grounds, Describing His Duties, Powers and Compensation and Appointing of Such Custodian.

Introduction, first reading, reference, 601.  
 Reported back, do pass, 720.  
 Second reading, 844.  
 Sent to Senate, 878.  
 Returned unchanged, 1528.  
 Enrolled, 1623.  
 Speaker signed, 1633.  
 Returned to Senate for signing, 1656.  
 Came to House signed, 1674.  
 To Governor, 1780. (Governor signed)

**House Bill No. 230—(Thoreson)**

House Bill No. 230. A Bill for an Act Prohibiting Electrical Power Companies From Charging a Deposit Upon Any Meter Installed Upon the Premises of Any User of Current Unless Interest Is Paid Annually Upon Such Deposit.

Introduction, first reading, reference, 601.  
 Reported back, do pass, 779.  
 Second reading (amended), 840.  
 Re-engrossed, 882.  
 Sent to Senate, 947.  
 Returned to House unchanged, 1739.  
 Enrolled, 1776.  
 Speaker signed, 1777.  
 Sent to Senate for signing, 1835.  
 Came to House, signed, 1914.  
 To Governor, 1990. (Governor signed).

**House Bill No. 231—(Frazier)**

House Bill No. 231. A Bill for an Act Providing for the Assessment and Taxation of Monies and Credits Defining Monies and Credits; Providing for Reports to Be Made to the State Tax Commissioner; Prescribing the Rate of Taxation and the Disposition of the Tax.

Introduction, first reading, reference, 601.  
 Re-referred, 898.  
 Reported back, indefinitely postponed, 1055.

**House Bill No. 232—(Schauss and Ritter)**

House Bill No. 232. A Bill for an Act to Repeal Chapter 217 of the 1935 Session Laws Creating a State Planning Board. Declaring an Emergency.

Introduction, first reading, reference, 601, 602.  
 Reported back, amended, 818.  
 General Orders, 867.  
 Engrossed, 932.  
 Second reading, indefinitely postponed, 956.

**House Bill No. 233—(Schauss)**

House Bill No. 233. A Bill for an Act Declaring That All Beer and Ale Manufactured or Sold in the State of North Dakota Containing 4%, or Less, of Alcohol by Weight, Shall Be Controlled by and Subject to the Provisions of the State Laws Relating to 3.2 Alcohol Content Beer; Declaring an Emergency.

Introduction, first reading, reference, 602.  
 Reported back, do pass, 818.  
 Second reading, 914.  
 Sent to Senate, 977.  
 Returned unchanged, 1677.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Sent to Senate for signing, 1784.  
 Returned signed, 1849.  
 To Governor, 1886. (Governor signed)

**House Bill No. 234—(Schauss)**

House Bill No. 234. A Bill for an Act Requiring All Licensed Liquor Dealers to Make Available Reports, Records, Vouchers, Books, and Other Documents to the State Treasurer; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Introduction, first reading, reference, 602.  
 Reported back, amended, 754.  
 General Orders, 857.  
 Engrossed, 882.  
 Second reading (amended) 921.  
 Re-engrossed, 933.  
 Sent to Senate, 977.  
 Returned unchanged, 1677.  
 Enrolled, 1749.  
 Speaker signed, 1753.  
 Returned to Senate for signing, 1785.  
 Came to House, signed, 1848.  
 To Governor, 1886 (Governor signed)

**House Bill No. 235—(Godwin)**

House Bill No. 235. A Bill for an Act to Appropriate \$2,-500.00 to Be Paid to the State Historical Society of North Dakota Under the Direction of the Federal Writers' Project of the Works Progress Administration, to Be Used for the Printing of The North Dakota Guide, and Providing for the

Return of the Money to the State Treasurer, and Providing the Manner of Printing, Distributing, and Accounting for Sale of Said Book.

Introduction, first reading, reference 586.  
Reported back, do pass, 749.  
Other action, 837, 869, 927.  
Engrossed, 1000.  
Second reading, 1010.  
Sent to Senate, 1047.  
Returned unchanged, 1851.  
Enrolled, 1897.  
Speaker signed, 1941.  
Returned to Senate for signing, 1957.  
Came to House, signed, 1998.  
To Governor, 2038. (Governor signed)

**House Bill No. 236—(Beggs)**

House Bill No. 236. A Bill for an Act Appropriating \$750.00 to the Tax Survey Commission for Expenses Incident to the Drafting of the Legislative Program of the Tax Survey Commission and Declaring an Emergency.

Introduction, first reading, reference, 586.  
Reported back indefinitely postponed, 752.

**House Bill No. 237—(Thompson, by request)**

House Bill No. 237. A Bill for an Act Providing for a Crop Lien to Secure Payment of Tractor Fuel and Lubricating Oils Actually Used in the Production of the Crop and to Provide a Method of Securing the Same.

Introduction, first reading, reference, 636.  
Reported back, indefinitely postponed, 780.

**House Bill No. 238—(Thompson, by request)**

House Bill No. 238. A Bill for an Act to Provide for the Reciprocal Licensing in This State of Life, Accident and Health Insurance Agents Who Are Residents of Another State.

Introduction, first reading, reference, 636.  
Reported back, indefinitely postponed, 818.

**House Bill No. 239—Krank, Sticka and Bjornson)**

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 77 of Chapter 168, Session Laws of 1919 Which Also Appears as Section 3084a77 of the 1925 Supplement Governing Underground Coal Mining Near Boundary Lines and Including Therein Coal Mining Near State, County and Township Highways.

Introduction, first reading, reference, 637.  
Reported back, do pass, 780.  
Second reading, 842.  
Sent to Senate, 947.  
Returned amended, 1967.

Other and final action, 1967, 1971, 1988.  
 Enrolled, 1994.  
 Speaker signed, 1994.  
 Sent to Senate for signing, 2018.  
 Came to House signed, 2040.  
 To Governor, 2075. (Governor signed)

**House Bill No. 240—(Odegard and Levin)**

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1930, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, and as Again Amended and Re-enacted by Chapter 142 of the Session Laws for the Year 1935, Defining Imitation Ice Cream, Providing Penalty for Violation and Declaring an Emergency.

Introduction, first reading, reference, 637.  
 Reported back, do pass, 886.  
 Second reading, 962.  
 Sent to Senate, 977.  
 Returned to House unchanged, 1739.  
 Enrolled, 1775.  
 Speaker signed, 1778.  
 Sent to Senate for signing, 1834.  
 Came to House signed, 1914.  
 To Governor, 1991. (Governor signed)

**House Bill No. 241—(Frazier)**

House Bill No. 241. A Bill for an Act Relating to the Publication of Reports of Expenditures of All Governing Boards of Towns and Cities in the State.

Introduction, first reading, reference, 637.  
 Reported back, do pass, 1149.  
 Second reading, indefinitely postponed, 1250.

**House Bill No. 242—(Ireland)**

House Bill No. 242. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1919, and Chapter 267 of the Session Laws for the Year 1935 Relating to the Custodian of the State Capitol and Grounds and Describing His Powers, Duties and Appointing Such Custodian.

Introduction, first reading, reference, 637.  
 Reported back, indefinitely postponed, 1149.

**House Bill No. 243—(Magill and Severson, by request)**

House Bill No. 243. A Bill for an Act to Amend and Re-enact Sections 368a1, 368a2 and 368a4 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 191 of the 1933 Session Laws; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 637.  
 Reported back, indefinitely postponed, 888.

**House Bill No. 244—Magill and Severson, by request)**

House Bill No. 244. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident Licenses; Cost; How Issued; Applications, Forms; Game and Fish Shipment, and Declaring an Emergency.

Introduction, first reading, reference, 637.  
Reported back, indefinitely postponed, 987.

**House Bill No. 245—(Magill and Severson, by request)**

House Bill No. 245. A Bill for an Act Providing for the Creation of a Special Game Conservation Fund and Providing for the Distribution Thereof.

Introduction, first reading, reference, 638.  
Reported back, indefinitely postponed, 987.

**House Bill No. 246—(Ritter and Greiser)**

House Bill No. 246. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 141, of the 1927 Session Laws, Relating to the Prevention of Fraud and Deception in the Manufacture and Sale of Concentrated, Commercial Feeding Stuffs and Providing for Registration and Labeling Thereof and Repealing Acts in Conflict Therewith.

Introduction, first reading, reference, 638.  
Reported back, amended, 780.  
General Orders, 865.  
Engrossed, 932.  
Second reading, 950.  
Sent to Senate, 1046.  
Returned unchanged, 1739.  
Enrolled, 1775.  
Speaker signed, 1778.  
Sent to Senate for signing, 1834.  
Came to House signed, 1914.  
To Governor, 1991. (Governor signed.)

**House Bill No. 247—(Langford and Caddell)**

House Bill No. 247. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a

Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof," and Declaring an Emergency.

Introduction, first reading, reference, 638.  
 Reported back, amended, 988.  
 General Orders, 1039.  
 Engrossed, 1132.  
 Second reading, 1165 (amended).  
 Re-engrossed, 1182.  
 Sent to Senate, 1190.  
 Other action, 1361, 1362.  
 Returned, amended, 1959.  
 Final action, 1960.  
 Enrolled, 2010.  
 Speaker signed, 2026.  
 Sent to Senate for signing, 2031.  
 Came to House signed, 2052.  
 To Governor, 2073. (Governor signed.)

**House Bill No. 248—(Frosaker and Benno)**

House Bill No. 248. A Bill for an Act Imposing an Excise Tax on Motor Vehicles for the Privilege of Using the Streets and Highways of This State; to Provide for the Collection of Such Tax; the Distribution and Use of the Revenue Derived Therefrom and the Administration of Said Law; Providing for Certain Exemptions; Fixing Fines and Penalties for the Violation of the Provisions of This Act; Defining Motor Vehicles and Declaring an Emergency.

Introduction, first reading, reference, 638.  
 Reported back, do pass, 819.  
 Second reading, 915.  
 Sent to Senate, 977.  
 Returned unchanged, 1739.  
 Other action, 1887, 1888, 1889, 1921.  
 Enrolled, 1922.  
 Speaker signed, 1939.  
 Sent to Senate for signing, 1959.  
 Came to House, signed, 1996.  
 To Governor, 2036. (Governor signed)

**House Bill No. 249—(Committee on Tax and Tax Laws)**

House Bill No. 249. A Bill for an Act Providing for the Collection of Real Property Taxes by the Collection of Rents from Such Property, Providing for the Duties of the District Court and the County Treasurer in Connection Therewith, Providing for the Service of the Court Order, the Application of Such Rents by the County Treasurer, Providing for Contempt for Failure to Comply with the Order of the Court, Providing That the Payments of the Rent Under the Order Shall Have Precedence Over Prior and Subsequent Liens and Assignments, Providing for Appeals, Providing That the



**Remedy is in Addition to Other Remedies, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.**

Introduction, first reading, reference, 680.  
 Reported back, amended, 819.  
 General Orders, 868.  
 Second reading, 957.  
 Engrossed, 955.  
 Sent to Senate, 978.  
 Returned amended, 1575.  
 Other action, 1576, 1673, 1622.  
 Final passage, 1576.  
 Enrolled, 1650.  
 Speaker signed, 1708.  
 Sent to Senate for signing, 1735.  
 Came to House, signed, 1845.  
 To Governor, 1882. (Governor signed)

**House Bill No. 250—(Ritter, Greiser and Wolf)**

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota With Reference to Availability of Appropriations, Repealing All Acts in Conflict, and Declaring an Emergency.

Introduction, first reading, reference, 639.  
 Reported back, amended, 781.  
 General Orders, 866.  
 Engrossed, 933.  
 Second reading, 951.  
 Sent to Senate, 1046.  
 Returned unchanged, 1676.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Sent to Senate for signing, 1785.  
 Came to House signed, 1849.  
 To Governor, 1886. (Governor signed).

**House Bill No. 251—(Traynor and Shure)**

House Bill No. 251. A Bill for an Act Providing for the Establishment of a North Dakota Mill and Elevator Commission, Defining Its Powers and Duties, in Respect to the Management, Operation and Control of the State Mill and Elevator Association Located at Grand Forks, North Dakota, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, reference, 639.  
 Reported back, indefinitely postponed, 1198.

**House Bill No. 252—(Peterson of Renville, by request)**

House Bill No. 252. A Bill for an Act Providing for the Payment to a Retail Implement Dealer of Certain Sums for All Stock of Farming Implements and Repairs for Farm Implements Upon the Cancellation of Any Contract Between Such Retail Implement Dealer and the Manufacturer, Whole-

saler, or Distributor of Farm Implements, Machinery and Repair Parts for Farm Implements and Farm Machinery.

Introduction, first reading, reference, 639.  
 Reported back, do pass, 820.  
 Second reading, 916.  
 Sent to Senate, 948.  
 Returned, amended, 1965.  
 Final passage, 1975.  
 Other action, 1965, 1989.  
 Enrolled, 2004.  
 Speaker signed, 2027.  
 Sent to Senate for signing, 2033.  
 Came to House signed, 2053.  
 To Governor, 2073. (Governor signed.)

**House Bill No. 253—(Frazier)**

House Bill No. 253. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Introduction, first reading, reference, 639.  
 Reported back, do pass, 989.  
 Second reading, 1082.  
 Sent to Senate, 1133.  
 Returned, amended, 1909.  
 Final action, 1909.  
 Other action, 1910, 1947.  
 Enrolled, 1948.  
 Speaker signed, 1982.  
 Sent to Senate for signing, 2002.  
 Came to House signed, 2019.  
 To Governor, 2034. (Governor signed.)

**House Bill No. 254—(Knutson of LaMoure)**

House Bill No. 254. A Bill for an Act to Amend and Re-enact Section 951 Compiled Laws of North Dakota for 1913 and Chapter 136 Session Laws of 1927; Providing for Inspectors, Judges and Clerks of Election, Their Qualifications and Duties; Repealing Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 680.  
 Reported back, amended, 888.  
 General Orders, indefinitely postponed, 925.  
 On calendar, 928.  
 Engrossed, 1000.  
 Second reading, 1012.  
 Sent to Senate, 1047.  
 Returned, indefinitely postponed, 1475.

**House Bill No. 255—(Caddell)**

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 3543 of the Supplement to the Compiled Laws

of North Dakota for the Year 1913. Relating to the Appointment and Salary of Deputy Sheriffs.

Introduction, first reading, reference, 680.  
Reported back, indefinitely postponed, 938.

**House Bill No. 256—(Frazier)**

House Bill No. 256. A Bill for an Act to Amend Section 11350 of the Compiled Laws of North Dakota for 1913 Relating to the Duties of Grand Juries.

Introduction, first reading, reference, 681.  
Reported back, amended, 888.  
General Orders, 926.  
Engrossed, 978.  
Second reading, 1006. Lost.

**House Bill No. 257—(Fitch)**

House Bill No. 257. A Bill for an Act to Amend and Re-enact Section 454 of the Compiled Laws of North Dakota for 1913 Relating to Certified Copies of Record of Births or Deaths and Fees Therefor.

Introduction, first reading, reference, 681.  
Reported back, do pass, 988.  
Other action, 949, 985.  
Second reading, indefinitely postponed, 1082.

**House Bill No. 258—(Fitch)**

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 437 of the Compiled Laws of North Dakota for 1913 Relating to Duties of Local Registrars, Sub-Registrars.

Introduction, first reading, reference, 681.  
Reported back, 989.  
Second reading, 1124.  
Other action, 936.

**House Bill No. 259—(Schauss and Just)**

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sections 3, 5, 6, 7, 8, 9, 10, 11 and 12 and to Repeal Section 4 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of this Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, as Amended by Chapter 97 of the Session Laws of 1935 and Chapter 98 of the Session Laws of 1935, Relating to the Manufacture and Sale of Beer, Providing a Saving Clause, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 681.  
Reported back, indefinitely postponed, 935.

**House Bill No. 260—(Kapaun, Frosaker and Schauss)**

House Bill No. 260. A Bill for an Act to Repeal Sections 10133 and 10134 of the Compiled Laws of North Dakota of 1913 Being the Act Making it Unlawful to Advertise Intoxicating Liquors Within the State and Prescribing Penalty Therefor.

Introduction, first reading, reference, 681, 682.  
 Reported back, indefinitely postponed, 821.  
 Reconsidered put on calendar, 848.  
 Second reading, 919. Lost.  
 Reconsidered, put on calendar, 924.  
 Second reading, 1000.  
 Sent to Senate, 1047.  
 Returned to House unchanged, 1619.  
 Enrolled, 1688.  
 Speaker signed, 1706.  
 Sent to Senate for signing, 1733.  
 Came to House signed, 1847.  
 To Governor, 1884. (Governor signed.)

**House Bill No. 261—(Trydahl)**

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 214 of the North Dakota Session Laws of 1931.

Introduction, first reading, reference, 682.  
 Reported back, indefinitely postponed, 1057.

**House Bill No. 262—(Brusseau)**

House Bill No. 262. A Bill for an Act Relieving Owners of Motor Vehicles from all Liability for Damages Caused in the Driving, Operation, Management and Control of Such Vehicle Unless the Same Be Operated, Driven, Managed or Controlled by the Owner, or Unless the Owner Shall Be Personally Present in Such Motor Vehicle at the Time the Damage is Sustained. Declaring an Emergency.

Introduction, first reading, reference, 682.  
 Reported back, indefinitely postponed, 821.

**House Bill No. 263—(Brusseau and Page)**

House Bill No. 263. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to Stallion Registration Board; Transfer of Records and Property of Same; and Declaring an Emergency.

Introduction, first reading, reference, 695.  
 Reported back, indefinitely postponed, 1057.

**House Bill No. 264—(Frey and Wolf)**

House Bill No. 264. A Bill for an Act Authorizing, Directing and Empowering the Proper Officers of the State of North Dakota to Release Any Interest Which the State of North Dakota Has Against Lot Fifteen (15) and the

North Half (N½) of Lot Fourteen (14) in Block Thirty-Nine (39) of the Original Plat of the City of Jamestown, North Dakota, by Virtue of a Loan of \$5,000.00 Made by the State of North Dakota to Said Training School in the Year 1911, and Declaring an Emergency.

Introduction, first reading, reference, 682.

Reported back, do pass, 989.

Second reading, 1083.

Sent to Senate, 1134.

Returned unchanged, 1619.

Enrolled, 1689.

Speaker signed, 1706.

Sent to Senate for signing, 1733.

Came to House signed, 1848.

To Governor, 1885.

**House Bill No. 265—(Graham, Knutson of LaMoure, and Olson of Adams)**

House Bill No. 265. A Bill for an Act Providing for a Thirty Hour Week and Minimum Wage for Common Labor When Employed by State or Municipal Governments or By Private Persons Paying for Such Labor with State or Federal Funds; Providing Penalty for Violation; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 682.

Reported back, indefinitely postponed, 885.

**House Bill No. 266—(Hagen and Schauss)**

House Bill No. 266. A Bill for an Act to Curb the Theft of Livestock by Truck by Requiring Livestock Truckers to Have with the Load, Display Upon Demand of Proper Officer and File with the Sheriff of the County and the First Recipient of Such Livestock from the Trucker, a Certificate Giving Information Relative to Such Livestock.

Introduction, first reading, reference, 683.

Reported back, do pass, 821.

Second reading, indefinitely postponed, 918 (amended).

**House Bill No. 267—(Committee on Delayed Bills)**

House Bill No. 267. A Bill for an Act Authorizing, Empowering and Directing the Industrial Commission, in Its Discretion, to Secure Plans, and Specifications; Advertise for and Receive Bids; Enter Into Contracts and Make All Necessary Arrangements for the Installation and Completion of a State Printing Plant at Such Place Within the State of North Dakota as May Seem Most Desirable; to Do All Things Necessary in Order to Fully Complete, Erect and Place in Operation Such Printing Plant; Providing for an Appropriation and Declaring an Emergency.

Introduction, first reading, reference, 683.

Reported back, do pass, 1209.

Second reading, indefinitely postponed, 1300.

**House Bill No. 268—(Godwin)**

House Bill No. 268. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Make Loans to Residents of North Dakota for the Purchase of Livestock Feed and for the Financing of Such Loans by the Commission and Providing for the Levy of a Tax to Retire Obligations Incurred Under the Provisions of This Act.

Introduction, first reading, reference, 683.  
Reported back, indefinitely postponed, 1058.

**House Bill No. 269—(Ritter and Greiser)**

House Bill No. 269. A Bill for an Act to Define Native Lignite and to Separately Classify Native Lignite; and to Declare the Public Policy in Respect Thereto.

Introduction, first reading, reference, 683.  
Reported back, amended, 1150.  
General Orders, 1237.  
Engrossed, 1257.  
Second reading, 1304.  
Sent to Senate, 1329.  
Returned unchanged, 1851.  
Enrolled, 1896.  
Speaker signed, 1942.  
Sent to Senate, for signing, 1957.  
Came to House, signed, 1998.  
To Governor, 2036. ( Governor signed)

**House Bill No. 270—(Saumur, Kapaun and Olson of Adams)**

House Bill No. 270. A Bill for an Act Regulating Game and Fish, for the Propagation, Conservation, Protection, Preservation of Wild Birds, Wild Animals and Fish; and Providing That Certain Game Birds, Game Animals, Fur-bearing Animals, Fish and Deer Shall Be Protected at All Times, and the Season Declared Closed Except When Opened by Governor's Proclamation Upon Recommendation of the Game and Fish Commissioner; Providing for Resident and Non-resident Licenses, and Providing Penalties Therefor, and to Amend and Re-enact Section 10322a50 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 115 of the Session Laws of 1933.

Introduction, first reading, reference, 683.  
Reported back, amended, 1058.  
General Orders, 1125.  
Engrossed, 1186.  
Second reading, 1242. (Amended)  
Other action, 1255, 1306.  
Final action, 1306.  
Sent to Senate, 1328.  
Returned, amended, 1923.  
Other action, 1923, 1939, 2001, 2016, 2028.  
Indefinitely postponed in House, 2029.

**House Bill No. 271—(Schauss and Burgum)**

House Bill No. 271. A Bill for an Act Relating to the

Licensing of Motor Vehicle Operators, and to the Liability of Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fees to Be Paid; Providing for the Examination of Applicants for License, and for the Suspension and Revocation of Such License; Making Disposition of the Fees Collected, and Providing for Penalty for Violating the Act; Repealing Chapter 175 of the 1935 Session Laws of North Dakota and All Other Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 684.  
 Reported back, indefinitely postponed, 935.  
 Reconsidered, 975.  
 Reported back, amended, 1211 to 1218.  
 General Orders, 1254.  
 Second reading (amended) 1311.  
 Re-engrossed 1357.  
 Sent to Senate, 1360.  
 Other action, 1338, 1401, 1344.  
 Amended and second reading, 1344.  
 Sent to Senate a second time, 1417.  
 Returned, indefinitely postponed, 1603.

**House Bill No. 272—(Godwin and Livingston)**

House Bill No. 272. A Bill for an Act to Amend and Re-enact Chapter 201 of the 1935 Session Laws of the State of North Dakota, Relating to Hours of Employment of Municipal, School District, Library Board and Park Board Employees; Prohibiting More Than Eight Hours Per Day or Forty-eight Hours Work Per Week Labor, Except in Emergencies; Requiring Payment at One and One-half Times Normal Rate for Overtime; Exempting Regularly Elected Officer and Firemen; Providing Penalty for Violation; Repealing All Acts in Conflict and Declaring an Emergency.

Introduction, first reading, reference, 684.  
 Reported back, indefinitely postponed, 889.

**House Bill No. 273—(Hagen)**

House Bill No. 273. A Bill for an Act to Amend and Re-enact Section 8205 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining the Private Property Which May Be Taken by Eminent Domain.

Introduction, first reading, reference, 684.  
 Reported back, indefinitely postponed, 1258.

**House Bill No. 274—(Hagen)**

House Bill No. 274. A Bill for an Act Creating the Office of State Liquor Commissioner of the State of North Dakota; Fixing Powers and Compensation and Imposing Duties; Permitting Such Commissioner to Engage in the Wholesale Alcoholic Liquor Business in the State of North Dakota; Authorizing the Commissioner to Promulgate Rules and Regulations and Do All Acts and Things Necessary in Carrying Out the Provisions Hereof; Declaring an Emergency.

Introduction, first reading, reference, 725.  
 Reported back, indefinitely postponed, 1219.

**House Bill No. 275—(Beaton)**

House Bill No. 275. 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.

Introduction, first reading, reference, 725.  
Re-referred, 989.  
Reported back, amended, 1059.  
General Orders, 1126.  
Engrossed.  
Second reading, 1242.  
Sent to Senate, 1282.  
Returned, indefinitely postponed, 1475.

**House Bill No. 276—(Godwin)**

House Bill No. 276. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

Introduction, first reading, reference, 725.  
Reported back, indefinitely postponed, 934.

**House Bill No. 277—(Hagen)**

House Bill No. 277. A Bill for an Act Creating a Method by Which the State of North Dakota May Be Placed Upon a Cash Basis; Authorizing the Issuance and Sale of Negotiable, Incontestable Certificates of Indebtedness and Refunding Certificates of Indebtedness in a Total Amount Not Exceeding Eighty Percent of the Outstanding Uncollected State Taxes Over a Period of Years; Specifying Date, Maturity, Amount, Interest, Rate, and General Form of Such Certificates; Requiring Certification by the State Treasurer and the State Auditor; Providing Manner of Execution; Permitting Negotiation and Sale Thereof; Confirming All Acts to Be Done in Substantial Compliance Herewith; Saving Part of Act if Other Parts are Declared Unconstitutional; and Declaring an Emergency.

Introduction, first reading, reference, 725.  
Reported back, indefinitely postponed, 1150.

**House Bill No. 278—(Godwin)**

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 268a5 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Powers of the Industrial Commission.

Introduction, first reading, reference, 725.  
Reported back, indefinitely postponed, 1275.

**House Bill 279—(Hultstrand and Dullea)**

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 3176a5, Supplement to the Compiled Laws of 1913, Defining the Duties of Official Newspapers; Providing for Publication of Legal Publications in Other Than



the Official Newspaper in Certain Cases After January 1, 1939, and Relating to Payment of Fees for Official Publications.

Introduction, first reading, reference, 726.  
 Reported back, indefinitely postponed, 1151.  
 Other action, 1250, 1151.  
 Second reading, 1307. Lost. (Two-thirds vote necessary)

**House Bill No. 280—(Solberg, by request)**

House Bill No. 280. A Bill for an Act Amending Subdivision U of Section 51, of Chapter 96, of the Session Laws of North Dakota for 1931, Relating to the Liquidation of Insolvent Banks by Depositors; and Declaring an Emergency.

Introduction, first reading, reference, 726.  
 Reported back, amended, 990.  
 General Orders, 1040.  
 Other action, 1120, 1261, 1288, 1327.  
 Second reading, 1355.  
 Sent to Senate, 1360.  
 Returned unchanged, 1893.  
 Enrolled, 1907.  
 Speaker signed, 1940.  
 Sent to Senate for signing, 1958.  
 Came to House signed, 1996.  
 To Governor, 2037. (Governor signed.)

**House Bill No. 281—(Solberg, by request)**

House Bill No. 281. A Bill for an Act Providing for the Granting of Divorces, Degree of Proof Required and Procedure to Be Followed.

Introduction, first reading, reference, 726.  
 Reported back, amended, 889.  
 Other action, 926, 949.  
 Reported back, indefinitely postponed, 990.

**House Bill No. 282—(Solberg)**

House Bill No. 282. A Bill for an Act Amending Section 9205 of the Compiled Laws of 1913, Relating to Misdemeanors and the Method of Punishment.

Introduction, first reading, reference, 726.  
 Reported back, indefinitely postponed, 890.

**House Bill No. 283—(Solberg)**

House Bill No. 283. A Bill for an Act Defining the Duties of the Highway Patrol, and Providing for Tourist Labels for Certain Automobiles, and Providing a Penalty for Violation Thereof.

Introduction, first reading, reference, 726.  
 Reported back, indefinitely postponed, 890.

**House Bill No. 284—(Thompson)**

House Bill No. 284. A Bill for an Act for the Regulation

of Traveling Egg Buyers, and Defining Who Are Such Buyers; License and Bond Required; Powers and Duties of Railroad Commission; Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act; and Making the Act an Emergency Measure.

Introduction, first reading, reference, 726.

Reurted back, do pass, 1060.

Second reading, 1170. Lost.

**House Bill No. 285—(Schauss and Burgum)**

House Bill No. 285. A Bill for an Act Creating a State Department of Justice and Public Safety, Defining Its Jurisdiction, Powers, Duties, and Relation to Existing Governmental Departments, Sub-divisions and Officer of Governmental Departments and Sub-divisions, Under the Supervision and Control of the Industrial Commission, and Repealing All Existing Laws in Conflict Therewith.

Introduction, first reading, reference, 727.

Reported back, indefinitely postponed, 939.

**House Bill No. 286—(Seibel, by request)**

House Bill No. 286. A Bill for an Act to Amend and Re-enact Section 4874 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 172 of the Session Laws of North Dakota for 1931, Relating to Domestic Mutual Insurance Companies.

Introduction, first reading, reference, 727.

Reported back, indefinitely postponed, 939.

**House Bill No. 287—(Frosaker)**

House Bill No. 287. A Bill for an Act to Amend and Re-enact Section 1920 of Chapter 31 of the Compiled Laws of North Dakota for 1913, Relating to When Section-lines Considered Public Roads, and Declaring an Emergency.

Introduction, first reading, reference, 727.

Reported back, indefinitely postponed, 1060.

**House Bilil No. 288—(Olson of Adams)**

House Bill No. 288. A Bill for an Act Authorizing Counties to Levy a Tax to Provide Medical, Surgical and Hospital Care for Its Residents, Providing Procedure for Adoption and for Discontinuing, Giving County Commissioners Certain Powers and Placing Certain Restrictions, Authorizing County Commissioners to Foster Maternity Homes and Provide Hospital Care for Mothers and Expectant Mothers, Establishing Medical and Surgical Fees to Be Paid Attending Physicians, Surgeons, Chiropractors and Osteopaths and Limiting Fees to Be Charged by Such Physicians, Surgeons, Chiropractors and Osteopaths and Hospitals, and Repealing All Acts in Conflict Herewith.

Introduction, first reading, reference, 727.

Reported back, so pass, 939.

Second reading, 1014. Lost.

**House Bill No. 289—(Niewoehner and Gilberg)**

House Bill No. 289. A Bill for an Act to Re-enact Section 8105 of the Compiled Laws of North Dakota for the Year 1913, and to Provide as to Sales of Real Estate Under a Decree of Mortgage Foreclosure, by Whom and Where They Shall Be Made, and the Manner of Publishing Notice to Be Given of Such Sales.

Introduction, first reading, reference, 727.  
Reported back, indefinitely postponed, 940.

**House Bill No. 290—(Frazier, by request)**

House Bill No. 290. A Bill for an Act Providing for the Disposition of Fines, Forfeitures, and Pecuniary Penalties Prescribed as Punishment.

Introduction, first reading, reference, 728.  
Re-referred, 898.  
Reported back, do pass, 940.  
Reconsidered and indefinitely postponed, 949.

**House Bill No. 291—(Nellie Olson)**

House Bill No. 291. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Cosmetics; for the Prevention of Adulteration, Misbranding and False Advertising Thereof; Requiring Labeling Thereof; Providing for the Enforcement of the Provisions of the Act; and to Provide Penalties for the Violation Thereof.

Introduction, first reading, reference, 728.  
Reported back, do pass, 1060.  
Second reading, 1172.  
Sent to Senate, 1283.  
Returned, amended, 1693.  
Other action, 1693, 1781, 1748.  
Enrolled, 1748.  
Speaker signed, 1751.  
Sent to Senate for signing, 1785.  
Came to House signed, 1850.  
To Governor, 1887. (Governor signed.)

**House Bill No. 292—(Thoreson, by request)**

House Bill No. 292. A Bill for an Act Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing the Duties of the Assessor in Connection Therewith; Repealing All Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, reference, 728.  
Reported back, amended, 1220.  
General Orders, 1277.  
Second reading, (amended) 1321.  
Re-engrossed, 1321.  
Sent to Senate, 1351.  
Returned, amended, 1771.  
Other action, 1772, 1794.  
Enrolled, 1806.  
Speaker signed, 1869.

Sent to Senate for signing, 1944.  
Came to House signed, 1945.  
To Governor, 2035. (Governor signed.)

**House Bill No. 293—(Jensen)**

House Bill No. 293. A Bill for an Act Providing for an Annual Fee for the Registration of Motor Trucks and/or Truck Tractors Propelled by Diesel or Fuel Oil or Any Combustible Fuel Other Than Gasoline.

Introduction, first reading, reference, 728.  
Re-referred, 974.  
Reported back, indefinitely postponed, 1261.

**House Bill No. 294—(Jensen)**

House Bill No. 294. A Bill for an Act Defining Non-Gasoline Driven Motor Vehicles, and Providing for an Annual Fee for the Registration of Any Non-Gasoline Driven Motor Vehicles.

Introduction, first reading, reference, 728.  
Re-referred, 974.  
Reported back, indefinitely postponed, 1261.

**House Bill No. 295—(Jensen)**

House Bill No. 295. A Bill for an Act Defining Motor Fuel, and Providing for the Taxation of Motor Fuel Other Than Gasoline.

Introduction, first reading, reference, 728.  
Re-referred, 974.  
Reported back, indefinitely postponed, 1262.

**House Bill No. 296—(Committee on Delayed Bills)**

House Bill No. 296. A Bill for an Act to Provide Further Employment of the Labor of Prisoners at the State Penitentiary; for the Sale of the Product of Such Labor to Other State Institutions, the Use of Receipt From the Sale and for an Appropriation; Requiring Heads of Institutions and Boards to Cooperate with the State Board of Administration.

Introduction, first reading, reference, 728, 729.  
Reported back, indefinitely postponed, 890.

**House Bill No. 297—(Committee on Delayed Bills)**

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 281 of the Session Laws of 1927; Repealing Chapter 74 of the Session Laws of 1929 and Providing an Appropriation for the Paying of Salary, Clerk Hire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Introduction, first reading, reference, 729.  
Reported back, do pass, 891.  
Second reading, 963.  
Sent to Senate, 977.  
Returned amended, 1874.

Other action, 1874, 1877, 1878, 1899.  
 Enrolled, 1899.  
 Speaker signed, 1899.  
 Returned to Senate at their request, 1904.  
 Came to House, 1918.  
 Sent to Senate for signing, 1915.  
 Came to House signed, 1918.  
 To Governor, 1923. (Governor signed.)

**House Bill No. 298—(Nellie Olson)**

House Bill No. 298. A Bill for an Act to Amend and Re-enact Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Mothers' Pensions; Conditions of Allowance; Duties of the Boards of County Commissioners and Board of Administration; Providing for the Cancellation of Earlier Pensions; Providing a Penalty for Violation; Repealing Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 729.  
 Reported back, indefinitely postponed, 1222.

**House Bill No. 299—(Schauss, Odegard and Olson of Adams)**

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 729.  
 Reported back, do pass, 940.  
 Second reading, 1016.  
 Sent to Senate, 1047.  
 Returned unchanged, 1851.  
 Enrolled, 1897.  
 Speaker signed, 1941.  
 Sent to Senate for signing, 1957.  
 Came to House, signed, 1997.  
 To Governor, 2038. (Governor vetoed.)

**House Bill No. 300—(Wendland and Blair)**

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 1, Chapter 196, Session Laws, 1933, Relating to the Salaries of Elected and Appointive State Officers, to Read as Follows.

Introduction, first reading, reference, 729.  
 Reported back, indefinitely postponed, 934.

**House Bill No. 301—(Nelson of Cass and Beaton)**

House Bill No. 301. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 199 of the 1933 Session Laws Abolishing the Office of Assistant Director of the North Dakota Regulatory Department, Establishing the Office of State Food Commissioner and Chemist, as Distinct and Separate from the North Dakota Regulatory Department,

Providing for Appointment, Qualifications, Salaries and Duties of State Food Commissioner and Chemist and of Other Employees Under His Supervision, Providing for the Deposit of All Moneys Collected by Said State Food Commissioner and Chemist in a Revolving Fund to Be Designated as "Pure Food and Chemistry Fund" and the Payment of Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, and for the Transfer Annually of Part of Said Fund to the General Fund of the State, and for the Immediate Transfer to Said Fund of a sum of Ten Thousand Dollars from the "State Regulatory Fund", and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 757.

Reported back, indefinitely postponed, 1151.

**House Bill No. 302—(Beasley and Blair)**

House Bill No. 302. A Bill for an Act Preventing the Selling of Liquor to Habitual Drunkards; Prescribing a Penalty; Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 757.

Reported back, indefinitely postponed, 990.

**House Bill No. 303—(Bieloh)**

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 2122, Compiled Laws of 1913, as Amended by Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Further Amended by the Initiated Measure Passed June 29, 1932, by the People of the State of North Dakota, and All Acts Amendatory Thereto, Providing for the Assessment of Stocks of Goods and Merchandise of Wholesale and Retail Dealers; Providing for Reports by Wholesale and Retail Dealers and Providing the Duties of the County Auditor and State Tax Commissioner; Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, reference, 758.

Re-referred, 941.

Reported back, amended, 1222.

General Orders, 1279.

Second reading, 1340.

Re-engrossed, 1326.

Sent to Senate, 1351.

Returned, indefinitely postponed, 1678.

**House Bill No. 304—(Bieloh)**

House Bill No. 304. A Bill for an Act to Provide for the Assessment of Car Line Companies, Express Companies and Air Transportation Companies, Providing for the Allocation of the Tax to the State of North Dakota, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 758.  
 Reported back, do pass, 1223.  
 Second reading, 1301.  
 Sent to Senate, 1329.  
 Returned, unchanged, 1677.  
 Other action, 1750, 1753.  
 Senate requests return of bill, 1776.  
 House returns it, 1776.  
 Senate returns, amended, 1893.  
 Final passage, 1893.  
 Enrolled, 1922.  
 Speaker signed, 1939.  
 Sent to Senate for signing, 1942.  
 Came to House signed, 1998.  
 To Governor, 2036. (Governor signed.)

**House Bill No. 305—(Olson of McLean and Thompson)**

House Bill No. 305. A Bill for an Act Amending and Re-enacting Chapter 135 of the Sessions Laws of North Dakota for the Year 1935, Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen and Committeewomen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910 to 916 Inclusive, Compiled Laws of 1913 and Chapter 137 of the North Dakota Session Laws for the Year 1927, and Chapter 123 of the North Dakota Session Laws for the Year 1929.

Introduction, first reading, reference, 758.  
 Reported back, amended, 1061.  
 General Orders, indefinitely postponed, 1126.

**House Bill No. 306—(Thompson, by request)**

House Bill No. 306. A Bill for an Act to Amend and Re-enact Chapter 148 of Senate Bill Number 260 of the Session Laws of North Dakota for the Year 1935, Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

Introduction, first reading, reference, 758.  
 Reported back, amended, 1223.  
 General Orders, 1279.  
 Engrossed, 1336.  
 Second reading, 1338.  
 Sent to Senate, 1351.  
 Returned, indefinitely postponed, 1529.

**House Bill No. 307—(Hagen)**

House Bill No. 307. A Bill for an Act Amending and Re-enacting Sections 2 (f), 3, 4, 8 and 14 of Chapter 214 of the Session Laws of North Dakota for 1931: Entitled—

"An Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers, and Making an Appropriation Therefor."

Introduction, first reading, reference, 758.  
 Reported back, do pass, 941.  
 Second reading, 1017.  
 Sent to Senate, 1046.  
 Returned, indefinitely postponed, 1530.

**House Bill No. 308**—(Olson of Bowman, Brown, Dalzell and Morland)

House Bill No. 308. A Bill for an Act to Make a Sales Tax a Replacement Tax and to Provide a Method of Replacement; Requiring the State Tax Commissioner to Issue Coupon Books to Be Accepted as Cash in Payment of Real and Personal Property Taxes, Providing a Method for the Sale of Coupon Books and Requiring the Coupons to Be Detached in the Presence of the Person Accepting the Coupons, and Declaring an Emergency.

Introduction, first reading, reference, 759.  
 Reported back, amended, 1224.  
 General Orders, 1280.  
 Engrossed, 1327.  
 Second reading, 1341.  
 Sent to Senate, 1350.  
 Returned, indefinitely postponed, 1741.

**House Bill 309**—(Olson of Bowman, Sandness and Morland)

House Bill No. 309. A Bill for an Act to Permit Incorporated Cities and Villages to Engage in the Liquor Traffic by Establishing and Operating Municipal Liquor Stores, and to Provide a Method of so Doing.

Introduction, first reading, reference, 759.  
 Reported back, indefinitely postponed, 942.

**House Bill No. 310**—(Schauss)

House Bill No. 310. A Bill for an Act to Provide for the Licensing of Motor Picture Theatre Checkers, Setting the Fee Therefor, Providing for Reports and Disposing of the Proceeds.

Introduction, first reading, reference, 759.  
 Reported back, indefinitely postponed, 1276.

**House Bill No. 311**—(Bjornson)

House Bill No. 311. A Bill for an Act Authorizing the State Treasurer to Execute on Behalf of the State Satisfactions of Mortgages on National Guard Armories in the State of North Dakota Given in Accordance With the Provisions of Chapter 174 of the Session Laws of North Dakota for 1907 and Amendments Thereto, and Declaring an Emergency.



Introduction, first reading, reference, 759.  
 Reported back, do pass, 991.  
 Second reading, 1085.  
 Sent to Senate, 1134.  
 Returned, unchanged, 1676.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Sent to Senate for signing, 1785.  
 Came to House signed, 1849.  
 To Governor, 1887. (Governor signed.)

**House Bill No. 312—(Frosaker, by request)**

House Bill No. 312. A Bill for an Act Authorizing the State Highway Commissioner to Administer Feeder or Other Roads for Which Federal Appropriations Are Made.

Introduction, first reading, reference, 759.  
 Reported back, do pass, 991.  
 Second reading, 1084.  
 Sent to Senate, 1134.  
 Returned, unchanged, 1740.  
 Enrolled, 1775.  
 Speaker signed, 1778.  
 Sent to Senate for signing, 1834.  
 Came to House signed, 1914.  
 To Governor, 1991. (Governor signed.)

**House Bill No. 313—(Niewoehner)**

House Bill No. 313. A Bill for an Act Making All Payments Made by Any County for Aid for a Deceased Person or for Funeral Expenses a Valid Debt of and Prior Claim Against the Estate of Such Deceased Person, and Providing for the Collection Thereof.

Introduction, first reading, reference, 766.  
 Reported back, indefinitely postponed, 942.

**House Bill No. 314—(Wick)**

House Bill No. 314. A Bill for an Act Distributing Public Printing; Specifying Duties of County Commissioners with Reference Thereto, Providing Penalty and Repealing All Acts in Conflict and Declaring an Emergency.

Introduction, first reading, reference, 766.  
 Reported back indefinitely postponed, 1068.

**House Bill No. 315—(Fitch, Frosaker, Schauss and Treffry)**

House Bill No. 315. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the

Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Herewith, and to Provide Penalties for the Violation Hereof, and Declaring an Emergency.

Introduction, first reading, reference, 766.  
 Reported back, amended, 992.  
 General Orders, 1040.  
 Engrossed, 1131.  
 Second reading, 1166. Lost.  
 Reconsidered, put on calendar, 1182.  
 Final passage, 1296. Lost.

**House Bill No. 316—(Schauss, by request)**

House Bill No. 316. A Bill for an Act Requiring the State of North Dakota, Through the Bank of North Dakota, or Through Its Proper Officials and Agencies to Convey Certain Lands and Satisfy Mortgages Upon Compliance With Conditions Herein Imposed.

Introduction, first reading, reference, 766.  
 Reported back, indefinitely postponed, 1152.

**House Bill No. 317—(Graham)**

House Bill No. 317. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of North Dakota for the Year 1935, Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse or Memorial Buildings, Which Have Been Heretofore Erected or Which Hereafter May Be Erected, for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Introduction, first reading, reference, 766.  
 Reported back, indefinitely postponed, 1152.

**House Bill No. 318—(Holmquist)**

House Bill No. 318. A Bill for an Act to Amend and Re-enact Sections 1, 2 and Sub-section (e) of Chapter 106 of the 1935 Session Laws, Relating to the Incorporation of Co-operative Grazing Associations, to Provide for the Organization of Groups With a Smaller Acreage Than 50,000 Acres, Where They May Be Required, and Making No Restrictions as to the Number of Organizations in Any One County to Operate Under Said Chapter.

Introduction, first reading, reference, 767.  
 Reported back, do pass, 942.  
 Second reading, 1019.  
 Sent to Senate, 1134.  
 Returned, unchanged, 1850.  
 Enrolled, 1897.  
 Speaker signed, 1941.  
 Sent to Senate for signing, 1957.  
 Came to House signed, 1998.  
 To Governor, 2038. (Governor signed.)

**House Bill No. 319—(Jensen and Olson of Adams)**

House Bill No. 319. A Bill for an Act to Prohibit Distillers, Brewers, and Wholesalers of Beer and of Intoxicating Liquors in the State of North Dakota from Leasing and from Furnishing of Any Furniture, Fixtures, Equipment or Other Property to Retailer; from Paying Retail Tax; from Being Interested in Retail Business; Providing Penalty and Declaring an Emergency.

Introduction, first reading, reference, 767.  
 Reported back, do pass, 1262.  
 Second reading, 1312.  
 Sent to Senate for signing, 1330.  
 Returned, indefinitely postponed, 1852.

**House Bill No. 320—(Burgum)**

House Bill No. 320. A Bill for an Act to Amend and Re-enact Section 5574 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Form of Certificates of Acknowledgment; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 767.  
 Reported back, amended, 943.  
 General Orders, 971.  
 Engrossed, 1049.  
 Second reading (amended) 1077.  
 Re-engrossed, 1119.  
 Sent to Senate, 1135.  
 Returned, unchanged, 1619.  
 Enrolled, 1686.  
 Speaker signed, 1706.  
 Sent to Senate for signing, 1732.  
 Came to House signed, 1848.  
 To Governor, 1885. (Governor signed.)

**House Bill No. 321—(Benno and Livingston)**

House Bill No. 321. A Bill for an Act Authorizing Cities Having a Population of 4,000 and Over to Establish and Provide a Fund to Be Used for the Purpose of Paying and Providing Payment to Its Employees of Pensions and Disability Insurance or Allowances; to Create and Set up a Board for the Administration of Such Fund, and Authorizing and Empowering Such Board to Prescribe Rules and Regulations Governing Qualifications and Rights of Persons to Participation in the Benefits of Such Fund and for the Efficient Administration of the Fund Herein Provided, and Carrying Out the Purposes and Provisions of This Act:

Introduction, first reading, reference, 767.  
 Reported back, indefinitely postponed, 1153.

**House Bill No. 322—(Holmquist)**

House Bill No. 322. A Bill for an Act Abolishing the Agricultural Experiment Station Near Hettinger, Adams County, and Providing for Conveyance of Land Where Located and Improvements Thereon to the City of Hettinger Under Cer-

tain Conditions, Repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and Declaring an Emergency.

Introduction, first reading, reference, 768.  
 Reported back, amended, 1068.  
 General Orders, 1126.  
 Engrossed, 1186.  
 Second reading, 1244.  
 Sent to Senate, 1282.  
 Returned, unchanged, 1851.  
 Enrolled, 1896.  
 Speaker signed, 1941.  
 Sent to Senate for signing, 1958.  
 Came to House signed, 1997.  
 To Governor, 2037. (Governor signed.)

**House Bill No. 323—(Schauss)**

House Bill No. 323. A Bill for an Act Levying a Tax Upon Cigars Sold at Retail in the State of North Dakota; Fixing the Amount of Such Tax; Providing Manner for Affixing Stamp Tax and Other Regulations; Providing Penalty for Having in Possession or Selling Without Paying Tax; Declaring an Emergency.

Introduction, first reading, reference, 768.  
 Reported back, indefinitely postponed, 1153.

**House Bill No. 324—(Knudson of Steele and Leum)**

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Affirmative Proof Required in Divorce Actions.

Introduction, first reading, reference, 768.  
 Reported back, do pass, 993.  
 Second reading, 1087.  
 Sent to Senate, 1134.  
 Returned, unchanged, 1676.  
 Enrolled, 1749.  
 Speaker signed, 1752.  
 Sent to Senate for signing, 1785.  
 Came to House signed, 1849.  
 To Governor, 1886. (Governor signed.)

**House Bill No. 325—(Ritter)**

House Bill No. 325. A Bill for an Act Requiring County Treasurers and County Auditors to Apply Money Paid in Liquidation of the Real Estate Taxes to the Discharge of the Oldest Unpaid Taxes; Making Receipt for Taxes Conclusive Proof of Payment of All Prior Taxes.

Introduction, first reading, reference, 768.  
 Reported back, indefinitely postponed, 993.

**House Bill No. 326—(Sand)**

House Bill No. 326. A Bill for an Act to Provide for the

Collection, Arrangement and Display of the Products and Resources of the State of North Dakota at the New York World's Fair in 1939.

Introduction, first reading, reference, 768.  
Reported back, amended, 1068.  
General Orders, 1126.  
Engrossed, 1186.  
Second reading, 1243.  
Sent to Senate, 1328.  
Returned, unchanged, 1850.  
Enrolled, 1897.  
Speaker signed, 1941.  
Sent to Senate for signing, 1997.  
To Governor, 2038. (Governor signed.)

**House Bill No. 327—(Fitch)**

House Bill No. 327. A Bill for an Act to Repeal Sections 4822, 4823, 4824, 4825, 4826, 4827, 4828, 4829, 4830, 4831, 4832, and 4833, of the 1913 Compiled Laws of the State of North Dakota, Relating to Wagon Road Corporations.

Introduction, first reading, reference, 768.  
Reported back, do pass, 993.  
Second reading, indefinitely postponed, 1088.

**House Bill No. 328—(Fitch)**

House Bill No. 328. A Bill for an Act to Repeal Sections 2055, 2056, 2057, 2058, 2059, 2060, and 2061 of the 1913 Compiled Laws of the State of North Dakota, Relating to Bridge Penalties.

Introduction, first reading, reference, 769.  
Reported back, do pass, 994.  
Second reading, indefinitely postponed, 1088.

**House Bill No. 329—(Fitch)**

House Bill No. 329. A Bill for an Act Legalizing and Declaring Legal All Foreclosures by Advertisement Heretofore conducted Notwithstanding the Mortgage Foreclosed Contained No Power of Sale.

Introduction, first reading, reference, 769.  
Reported back, indefinitely postponed, 943.

**House Bill No. 330—(Godwin and Trydahl)**

House Bill No. 330. A Bill for an Act Providing for Licensing of Employment Agencies; Fixing License Fee; Making It Unlawful to Conduct an Employment Agency Until Duly Licensed and Providing Penalties.

Introduction, first reading, reference, 769.  
Reported back, do pass, 944.  
Second reading, 1020. Lost.

**House Bill No. 331—(Twichell)**

House Bill No. 331. A Bill for an Act to Amend and Re-

enact Section 7644 of the Compiled Laws of 1913, as Amended by Chapter 331, Session Laws of 1923 and Repeal All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 769.

Re-referred, 1236.

Reported back, indefinitely postponed, 1268.

**House Bill No. 332—(Twichell, Johnson, Kraus and Fitch)**

House Bill No. 332. A Bill for an Act Creating Pensions for Disabled or Retired Policemen, Their Widows, and Children Under Sixteen Years of Age; Disabled or Retired Police Matrons and Their Children Under Sixteen Years of Age; and Widows of Policemen Who Die in the Service, and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population in Excess of Twenty-five (25,000) Thousand by the Last Official Census, Federal or State; and Providing for a Fund Out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund.

Introduction, first reading, reference, 769.

Reported back, do pass, 944.

Second reading, 1021.

Sent to Senate, 1046.

Returned, unchanged, 1619.

Enrolled, 1686.

Speaker signed, 1706.

Sent to Senate for signing, 1732.

Came to House signed, 1848.

To Governor, 1885. (Governor signed.)

**House Bill No. 333—(Schauss)**

House Bill No. 333. A Bill for an Act Making It Unlawful for Any Officer or the Head of Any Department, Board, Bureau, Institution or Industry, to Buy, Sell, Exchange or in Any Manner Acquire or Dispose of Any Bond, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidence of Debt in Which Any Public Funds Have Been or May Be Invested, Without Permission of the Industrial Commission of the State of North Dakota; Providing Penalty for Violation and Declaring an Emergency.

Introduction, first reading, reference, 769, 770.

Reported back, amended, 994.

General Orders, 1041.

Engrossed, 1132.

Second reading (amended) 1167.

Re-engrossed, 1182.

Sent to Senate, 1191.

Returned, amended, 1935.

Other action, 1936, 1937, 1947.

Enrolled, 1948.

Speaker signed, 1982.

Sent to Senate for signing, 2002.

Came to House signed, 2019.

To Governor, 2034. (Governor signed.)

**House Bill No. 334—(Schauss)**

House Bill No. 334. A Bill for an Act Authorizing the Exchange of Coupon Bonds for Register Bonds of the State of North Dakota.

Introduction, first reading, reference, 770.  
 Reported back, amended, 1091.  
 General Orders, 1177.  
 Engrossed, 1185.  
 Second reading, 1248.  
 Sent to Senate, 1328.  
 Returned, amended, 1967.  
 Final passage, 1976.  
 Other action, 1967, 1988.  
 Enrolled, 2004.  
 Speaker signed, 2006.  
 Sent to Senate for signing, 2018.  
 Came to House signed, 2041.  
 To Governor, 2075. (Governor signed.)

**House Bill No. 335—(Brown)**

House Bill No. 335. A Bill for an Act to Amend and Re-enact Section 4652 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Stopping of Passenger Trains at County Seats, and Repealing Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, reference, 770.  
 Reported back, amended, 1154.  
 General Orders, 1237.  
 Engrossed, 1257.  
 Second reading, 1304.  
 Sent to Senate, 1329.  
 Returned, indefinitely postponed, 1475.

**House Bill No. 336—(Schauss)**

House Bill No. 336. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 135 of the Session Laws of 1935; Providing for the Election of Party Precinct Committeemen; for the Organization of Party, County and State Committees; Establishing the Qualifications of Delegates and Committeemen; Providing for the Organization of Party, County and State Committees; Providing for the Nomination of Candidates for Presidential Electors; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 770.  
 Reported back, do pass, 1225.  
 Second reading, 1302.  
 Sent to Senate, 1329.  
 Returned, amended, 1962.  
 Other action, 1962, 1972, 1988, 1992.  
 Final passage, 1972, 2007.  
 Enrolled, 2003.  
 Speaker signed, 2027.  
 Sent to Senate for signing, 2032.  
 Came to House signed, 2053.  
 To Governor, 2073. (Governor signed.)

**House Bill No. 337—(Niewoehner)**

House Bill No. 337. A Bill for an Act Levying a Tax of One Cent (1c) Upon Each Fifty Cents or Fraction Thereof Charged for Tickets or Admissions to Theatres, Places of Amusement and Athletic Events; Providing for the Collection of Such Tax and for the Deposit of the Same in the Equalization Fund for the Benefit of the Common Schools.

Introduction, first reading, reference, 770.  
Reported back, indefinitely postponed, 944.

**House Bill No. 338—(Thoreson, by request)**

House Bill No. 338. A Bill for an Act to Repeal Sections 5575, 5576, 5577, 5578 of the 1913 Compiled Laws of the State of North Dakota, Relating to Proof and Acknowledgment of Instruments.

Introduction, first reading, reference, 770.  
Reported back, indefinitely postponed, 945.

**House Bill No. 339—(Thoreson, by request)**

House Bill No. 339. A Bill for an Act to Repeal Section 2054 of the 1913 Compiled Laws of the State of North Dakota, Relating to Hitching of Passenger Teams.

Introduction, first reading, reference, 771.  
Reported back, indefinitely postponed, 1155.

**House Bill No. 340—(Bjornson)**

House Bill No. 340. A Bill for an Act Making It the Duty of Boards of County Commissioners in Certain Instances to Furnish Office Space and Quarters Without Charge for City Officials, and Declaring an Emergency.

Introduction, first reading, reference, 771.  
Reported back, indefinitely postponed, 1225.

**House Bill No. 341—(Niewoehner)**

House Bill No. 341. A Bill for an Act to Establish a Mouse River Valley Authority, and to Fix Its Powers and Duties.

Introduction, first reading, reference, 771.  
Reported back, do pass, 1262.  
Second reading, 1315.  
Sent to Senate, 1331.  
Returned, amended, 1963.  
Final action, 1974, 1987.  
Enrolled, 2003.  
Speaker signed, 2027.  
Sent to Senate for signing, 2032.  
Came to House signed, 2052.  
To Governor, 2073. (Governor signed.)

**House Bill No. 342—(Kapaun)**

House Bill No. 342. A Bill for an Act to Amend and Re-enact Section 9, Chapter 179, Laws of 1927 as Amended and



Re-enacted by Section 1, Chapter 176, Laws of 1935, Section 13, Chapter 179, Laws of 1927, Section 29 of Chapter 179, Laws of 1927, and Subsection B, Section 14, Chapter 179, Laws of 1927 as Amended and Re-enacted by Section 10, Chapter 160, Laws of 1933; Relating to the Registration of Motor Vehicles.

Introduction, first reading, reference, 771.  
Reported back, indefinitely postponed, 1226.

**House Bill No. 343—(Godwin and Bjornson)**

House Bill No. 343. A Bill for an Act to Amend and Re-enact Sections 4, 6, 7, and 18 of Chapter 101 of the Session Laws of 1927 and Acts Amendatory Thereto Relating to Barbers Examining Board of the State of North Dakota; and Providing Rules, Regulations with Respect to Who May Follow the Occupation of Barbering; and Regulating the Power of Said Board in the Supervision of Barber Shops and Barber Schools.

Introduction, first reading, reference, 771.  
Reported back, indefinitely postponed, 1069.

**House Bill No. 344—(Niewoehner)**

House Bill No. 344. A Bill for an Act to Provide That 50% of the Hail Indemnity Tax Assessed for the Year of 1935 Shall be Refunded or Abated, and Designating the Funds From which Payments Shall Be Made.

Introduction, first reading, reference, 771, 772.  
Reported back, indefinitely postponed, 1069.

**House Bill No. 345—(Frazier and Burgum)**

House Bill No. 345. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent with Sound Economy and Prudent Management, Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act, Providing for the Rights, Powers and Duties of the Authority, Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof, and Declaring an Emergency.

Introduction, first reading, reference, 772, 974.  
Reported back, indefinitely postponed, 1263.

**House Bill No. 346—(Burgum and Frazier)**

House Bill No. 346. A Bill for an Act Providing for the Formation of Cooperative, Non-profit, Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Pos-

sible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Introduction, first reading, reference, 772, 974.  
 Reported back, do pass, 1273.  
 Other action, 974, 1352, 1357.  
 Second reading, 1332.  
 Sent to Senate, 1360.  
 Returned, amended, 1889.  
 Final passage, 1890.  
 Enrolled, 1948.  
 Speaker signed, 1982.  
 Sent to Senate for signing, 2002.  
 Came to House signed, 2020.  
 To Governor, 2033. (Governor signed.)

**House Bill No. 347—(Burgum and Frazier)**

House Bill No. 347. A Bill for an Act to Amend and Re-enact Section 4543 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, as Amended by Chapter 114, Laws of North Dakota, 1931, Exempting Co-operative Associations of Cooperative Corporations Organized for the Purpose of Electrification From the Limitations and Restrictions Therein Contained as to the Creation of Debt, Making Dividends, and Dividing, Withdrawing or Paying to the Stockholders any Part of the Capital Stock, and Declaring an Emergency.

Introduction, first reading, reference, 772, 974.  
 Reported back, indefinitely postponed, 1263.

**House Bill No. 348—(Burgum and Frazier)**

House Bill No. 348. A Bill for an Act to Amend and Re-enact Section 4609a2 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Including Electrification in Purposes for Which a Co-operative Association May Be Formed; and Declaring an Emergency.

Introduction, first reading, reference, 772.  
 Reported back, indefinitely postponed, 1264.

**House Bill No. 349—(Godwin and Peterson of Renville)**

House Bill No. 349. A Bill for an Act to Regulate the Employment of Teachers in State Institutions of Higher Learning, Fixing Conditions Under Which They May Be Employed or Discharged From Their Positions; Providing for Probationary Periods; Providing for Hearing.

Introduction, first reading, reference, 773.  
 Reported back, do pass, 1155.  
 Second reading, 1250. Lost.

Reconsidered, 1293.  
Second reading, 1356.  
Sent to Senate, 1361.  
Returned, indefinitely postponed, 1741.

**House Bill No. 350—(Frazier and Burgum)**

House Bill No. 350. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission of Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds; and Declaring an Emergency.

Introduction, first reading, reference, 773.  
Re-referred, 1012.  
Reported back, do pass, 1274.  
Second reading, 1334.  
Sent to Senate, 1351.  
Returned, indefinitely postponed, 1789.

**House Bill No. 351—(Symington, by request)**

House Bill No. 351. A Bill for an Act to Amend and Re-enact Section 3080a4 and 3080a5 of the 1925 Supplement to the 1913 Compiled Laws Relating to Labeling and Specifications of Gasoline and Kerosene, and Declaring an Emergency.

Introduction, first reading, reference, 773.  
Reported back, indefinitely postponed, 1226.

**House Bill No. 352—(Rait and Smerad)**

House Bill No. 352. A Bill for an Act to Amend and Re-enact Section 16, of Chapter 71, of the Session Laws of North Dakota for the Year 1933, With Respect to the Duties of the State Examiner.

Introduction, first reading, reference, 773.  
Reported back, do pass, 1070.  
Second reading, 1172.  
Sent to Senate, 1283.  
Returned, indefinitely postponed, 1852.

**House Bill No. 353—(Committee on Delayed Bills)**

House Bill No. 353. A Bill for an Act Making an Emergency Appropriation to Provide for Aid for Livestock Feeds, in the Form of Loans, to Farmers in Drouth-stricken Counties of This State, Providing for the Distribution of Such Appropriation Among the Counties by the Public Welfare Board of North Dakota, with the Counsel and Assistance of the Commissioner of Agriculture and Labor; Prescribing the Duties of County Officers in Relation to Such Livestock Feed Aid, and Declaring an Emergency.

Introduction, first reading, reference, 773.  
Reported back, do pass, 996.  
Second reading, 1080.  
Sent to Senate, 1134.

Returned, amended, 1704.  
 Final passage, 1704.  
 Other action, 1704, 1747.  
 Enrolled, 1750.  
 Speaker signed, 1750.  
 Sent to Senate for signing, 1758.  
 Came to House signed, 1845.  
 To Governor, 1882. (Governor signed.)

**House Bill No. 354—(Bjornson)**

House Bill No. 354. A Bill for an Act Providing for Free Text Books in Common Schools, Authorizing the Purchase Thereof by the Respective School Boards and Repealing Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 790.  
 Reported back, placed on calendar on motion, 995.  
 Second reading, 1088.  
 Sent to Senate, 1134.  
 Returned, indefinitely postponed, 1852.

**House Bill No. 355—(Greiser, by request)**

House Bill No. 355. A Bill for an Act to Amend and Re-enact Section 463 of the Compiled Laws of North Dakota for 1913 Relative to the Practice of Medicine and Surgery in the State of North Dakota; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 790.  
 Withdrawn, 949.

**House Bill No. 356—(House Concurrent Resolution, Wolf and Caddell)**

Introduction, first reading, reference, 813.  
 Reported back, amended, 1070.  
 General Orders, 1127.  
 Engrossed, 1185.  
 Second reading, 1309.  
 Sent to Senate, 1330.  
 Returned, unchanged, 1740.  
 Enrolled, 1774.  
 Speaker signed, 1777.  
 Sent to Senate for signing, 1834.  
 Came to House signed, 1915.  
 To Governor, 1990. (Governor signed.)

**House Bill No. 357—(Freitag)**

House Bill No. 357. A Bill for an Act to Apply and Make Applicable the Provisions of the House Bill No. 32 of the Twenty-Fifth Legislative Assembly and Chapter 195 of the Laws of 1935 as Amended by House Bill Number 32 Afore-said, to "Warrants for Emergency Poor Relief" Issued Pursuant to Chapter 120 of the Laws of 1935 and Issued Prior to January 1st, 1939.

Introduction, first reading, reference, 806.  
 Reported back, do pass, 1155.  
 Second reading, 1252.  
 Sent to Senate, 1328.  
 Returned, indefinitely postponed, 1475.  
 Senate requests return, 1489.  
 House accedes, 1489.  
 Returned, unchanged, 1677.  
 Enrolled, 1750.  
 Speaker signed, 1753.  
 Returned to Senate for signing, 1784.  
 Came to House signed, 1848.  
 To Governor, 1885. (Governor signed.)

**House Bill No. 358—(Jensen)**

House Bill No. 358. A Bill for an Act to Amend and Re-enact Sections One and Four of Chapter 199 of the 1933 Session Laws of the State of North Dakota Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director, Appointment of Inspectors and Special Inspectors, etc.

Introduction, first reading, reference, 807.  
 Reported back, indefinitely postponed, 1156.

**House Bill No. 359—(Jensen)**

House Bill No. 359. A Bill for an Act to Amend and Re-enact Sections 3 of Chapter 257 of the 1933 Session Laws, Relating to Delinquency of Real Estate Taxes, Fixing Penalties; and Declaring an Emergency.

Introduction, first reading, reference, 807.  
 Reported back, do pass, 1070.  
 Second reading, 1174.  
 Sent to Senate, 1283.  
 Returned, unchanged, 1740.  
 Enrolled, 1774.  
 Speaker signed, 1778.  
 Sent to Senate for signing, 1834.  
 Came to House signed, 1915.  
 To Governor, 2075. (Governor signed.)

**House Bill No. 360—(Myers, by request)**

House Bill No. 360. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 172 of the Session Laws of North Dakota for the Year 1935, and Declaring an Emergency.

Introduction, first reading, reference, 807.  
 Reported back, amended, 1227.  
 General Orders, 1280.  
 Engrossed, 1336.  
 Second reading (amended) 1346.  
 Re-engrossed, 1358.  
 Sent to Senate, 1360.  
 Returned, amended, 1898.

Other action, 1898, 1901, 1997, 2026, 1911, 1968, 1988, 2007, 2021, 2050, 2028.  
 Final passage, 2023.  
 Enrolled, 2051.  
 Speaker signed, 2055.  
 Sent to Senate for signing, 2058.  
 Came to House signed, 2056.  
 To Governor, 2072. (Governor signed.)

**House Bill No. 361—(Schauss)**

House Bill No. 361. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons From the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof", and Declaring an Emergency.

Introduction, first reading, reference, 807.  
 Reported back, indefinitely postponed, 1227.

**House Bill No. 362—(Schauss)**

House Bill No. 362. A Bill for an Act Providing That All Field Work Connected With the Lands Owned, Supervised, Operated, and Controlled by the Board of University and School Lands, and the State Land Commissioner, Be Performed by the Employees at the Bank of North Dakota; Providing for Payment of Salaries and Expenses in Connection With Said Work; Transferring Funds; Declaring an Emergency.

Introduction, first reading, reference, 808.  
 Reported back, indefinitely postponed, 1228.

**House Bill No. 363—(Schauss, by request)**

House Bill No. 363. A Bill for an Act Defining, Licensing and Regulating Dealers at Wholesale as Herein Defined; Defining the Words "Produce," "Person," and "Commissioner"; Outlining the Procedure to Obtain a License; Providing for the Date of Expiration of Licenses, the Amount, and the Posting Thereof; Providing for Appeals from Actions of the Commissioner and How Appeals May Be Taken; Provid-

ing for Handling Money Received from License Fees; Imposing Certain Duties and Conferring Certain Powers Upon the Commissioner of Agriculture and Prescribing Penalties for Violation of This Act.

Introduction, first reading, reference, 808.  
Reported back, do pass, 1071.  
Second reading, indefinitely postponed, 1175.

**House Bill No. 364—(Magill)**

House Bill No. 364. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrapper, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof, Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, reference, 808.  
Reported back, amended, 1228 to 1234.  
General Orders, 1281.  
Engrossed, 1335.  
Second reading (amended) 1353.  
Sent to Senate, 1360.  
Returned, indefinitely postponed, 1741.

**House Bill No. 365—(Fitch)**

House Bill No. 365. A Bill for an Act to Repeal Article 5 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Mates and Seamen.

Introduction, first reading, reference, 808.  
Reported back, do pass, 1071.  
Second reading (amended) 1175.  
Engrossed, 1182.  
Sent to Senate, 1191.  
Returned, unchanged, 1850.  
Enrolled, 1896.  
Speaker signed, 1942.  
Sent to Senate for signing, 1957.  
Came to House signed, 1998.  
To Governor, 2035. (Governor signed.)

**House Bill No. 366—(Fitch)**

House Bill No. 366. A Bill for an Act to Repeal Article 6 of Chapter 63 of the Civil Code (1913 Compiled Laws of the State of North Dakota) Relating to Ship's Managers.

Introduction, first reading, reference, 809.  
Reported back, do pass, 1071.  
Second reading, 1176.  
Sent to Senate, 1283.

Returned, unchanged, 1850.  
 Enrolled, 1896.  
 Speaker signed, 1942.  
 Sent to Senate for signing, 1957.  
 Came to House signed, 1998.  
 To Governor, 2035. (Governor signed.)

**House Bill No. 367—(Schauss)**

House Bill No. 367. A Bill for an Act to Amend and Re-enact Section 189b7 and 189b11 and 189b15 of the 1925 Supplement to the Compiled Laws of North Dakota; Relating to State Hail Indemnity Tax, Crop Affidavit, Insurability and Liens; Amount of Indemnity; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 809.  
 Reported back, indefinitely postponed, 1264.

**House Bill No. 368—(Committee on Delayed Bills)**

House Bill No. 368. A Bill for an Act to Appropriate the Sum of Ten Thousand Five Hundred Dollars to Reimburse and Pay to Patterson Hotel Company of Bismarck, North Dakota, for Rent During a Period of Seven Months for Premises Leased to the State of North Dakota, Consisting of the Second Floor of That Certain Building in the City of Bismarck Known as the Patterson Hotel, Upon an Agreement Made and Entered Into by the Board of Administration to Pay Rent at the Rate of Twenty-five Hundred Dollars per Month for Such Premises in Case the Said Premises Were Vacated by the State of North Dakota Within a Period of Two Years From and After the First Day of January, 1931, the Said State of North Dakota Having Occupied Said Premises for a Period of Seven Months for Various Departments of the State Government.

Introduction, first reading, reference, 897.  
 Reported back, indefinitely postponed, 1264.

**House Bill No. 369—(Committee on Delayed Bills)**

House Bill No. 369. A Bill for an Act Providing that the State Commissioner of Agriculture is Authorized to Collect, Compile, and Circulate Information in Regard to our State, Its Highways, Parks, and Places of Public Interest and Scenic Beauty, and Providing an Appropriation Therefor.

Introduction, first reading, reference, 898.  
 Reported back, amended, 1156.  
 General Orders, 1238.  
 Engrossed, 1257.  
 Second reading, indefinitely postponed, 1306.

**House Bill No. 370—(Committee on Delayed Bills)**

House Bill No. 370. A Bill for an Act Authorizing the State Highway Commissioner to Compromise and Settle the Claim of Edward Bannon for Damages Suffered in a Collision With a Power Motor Patrol, Operated by an Employee of the State Highway Department.



Introduction, first reading, reference, 898.  
Reported back, indefinitely postponed, 1072.

**House Bill No. 371—(Committee on Delayed Bills)**

House Bill No. 371. A Bill for an Act to Amend and Re-enact Subdivision 6 of Section 4 of Chapter 97 of the Session Laws of 1933, Providing for the Determination of Legal Residence of Persons Lawfully Entitled to Poor Relief.

Introduction, first reading, reference, 949.  
Reported back, indefinitely postponed, 1234.

**House Bill No. 372—(Committee on Delayed Bills)**

House Bill No. 372. A Bill for an Act Authorizing Emergency Money Grants by the State Equalization Fund to School Districts; Providing for an Audit in Such Cases by the State Examiner; Repealing Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, reference, 949.  
Reported back, indefinitely postponed, 1072.

**House Bill No. 373—(Committee on Delayed Bills)**

House Bill No. 373. A Bill for an Act Prohibiting Certain Advertising of Intoxicating Liquors and Providing a Penalty Therefor.

Introduction, first reading, reference, 1078.  
Reported back, do pass, 1265.  
Second reading, 1314.  
Sent to Senate, 1328.  
Returned, indefinitely postponed, 1529.

**House Bill No. 374—(Committee on Delayed Bills)**

House Bill No. 374. A Bill for an Act to Amend and Re-enact Chapter 116 of the Session Laws of the State of North Dakota for 1929, Relating to the Appointment, Powers, and Duties of the State Superintendent of Criminal Investigation and Identification and Providing for the Payment of Salary and Expenses of that Office, and Providing an Appropriation Therefor.

Introduction, first reading, reference, 1159.  
Reported back, indefinitely postponed, 1234.

**House Bill No. 375—(Committee on Delayed Bills)**

House Bill No. 375. A Bill for an Act to Impose Tonnage and Replacement Tax Upon the Lignite Coal Mined in the State of North Dakota, Providing for Making Returns Thereon, and Payment of the Tax; Distribution of Taxes Collected, and Penalties for the Violation Thereof.

Introduction, first reading, reference, 1160.  
Reported back, indefinitely postponed, 1255.

**House Bill No. 376—(Committee on Delayed Bills)**

House Bill No. 376. A Bill for an Act to Amend and Re-enact Chapter 123 of the 1935 Session Laws of the State of North Dakota, Being an Act to Amend and Re-nact Section 25 of Chapter 98 of the 1933 Session Laws of the State of North Dakota; Said Act Relating to Relief for the Poor, Prescribing the Establishment of a County Relief Board by the Board of County Commissioners Constituting the County Commissioners in the Various Counties Welfare Boards; Repealing All Acts in Conflict and Declaring an Emergency.

Introduction, first reading, reference, 1160.  
Reported back, divided report, no action taken, 1235.  
Majority report, amended, adopted, 1317.  
General Orders, 1320.  
Second reading, indefinitely postponed, 1358.

**House Bill No. 377—(Committee on Delayed Bills)**

House Bill No. 377. A Bill for an Act to Repeal Chapter 6 of the Session Laws of North Dakota for the Year 1935, Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Declaring an Emergency.

Introduction, first reading, reference, 1160.  
Reported back, do pass, 1274.  
Second reading, 1337.  
Sent to Senate, 1351.  
Returned, indefinitely postponed, 1678.

**House Bill No. 378—(Committee on Delayed Bills)**

House Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 238 of the 1935 Session Laws, Defining Absolute Exemptions.

Introduction, first reading, reference, 1178.  
Reported back, do pass.  
Second reading, indefinitely postponed, 1358.

# HOUSE CONCURRENT RESOLUTIONS

## HOUSE CONCURRENT RESOLUTION "A"—(Page and Caddell)

Urging Congress and President to provide seed for spring planting.  
Introduced, read and adopted, 55.  
Sent to Senate, 56.  
Returned, 61.  
Speaker signs, 66.  
Sent to Senate for signing, 66.  
Returned, 85.  
Secretary of State, 559.

## HOUSE CONCURRENT RESOLUTION "B"—Wolf, Olson of Adams, and Stray)

Pertaining to employeess.  
Introduced, read and adopted, 5.  
Reconsidered and indefinitely postponed.

## JOINT RESOLUTION "C"—(Symington, Olson of Bowman, Dalzell and Morland)

Authorizing loan of \$300,000 by Industrial Commission to State Public Welfare Board for relief.  
Introduced and passed, 72.  
Printed, 74.  
Sent to Senate, 83.  
Returned from the Senate indefinitely postponed, 99.

## HOUSE CONCURRENT RESOLUTION "D"—(Sandness and Niewoehner)

Memorializes Congress for amendment to Constitution to require referendum on war declaration.  
Read, not printed, referred to Committee on Military Affairs, 117.  
Reported back, indefinitely postponed, 269.  
Reconsidered, printed in the Journal, 269.

## HOUSE CONCURRENT RESOLUTION "E"—(Stray)

Memorializing Congress to plant trees in North Dakota.  
Read, referred to Committee on Federal Relations, 117.  
Printed, 160.  
In General Orders, 160.  
Printed, 161.  
Sent to Senate, 213.  
Returned, unchanged, 1851.  
Enrolled, 1897.  
Speaker signed, 1942.  
Sent to Senate for signing, 1944.  
Returned signed, 1962.  
To Secretary of State, 1990.

## HOUSE CONCURRENT RESOLUTION "F"—(Bjornson)

Memorializing Congress to pass legislation embodying principles of "Townsend recovery plan."

Read, not printed, referred, 251.  
 Reported back, adopted, 197.  
 Sent to Senate, 213.  
 Returned, unchanged, 483.  
 Enrolled, 497.  
 Speaker signed, 507.  
 To Senate for signing, 508.  
 Returned signed, 527.

## HOUSE CONCURRENT RESOLUTION "G"—Committee on Printing)

Providing for printing of 500 additional Journals.

Read, printed and adopted, 147.

## HOUSE CONCURRENT RESOLUTION "H"—(Committee on Employment)

Providing for salaries for employees.

Read and adopted, 172.  
 Printed, 173.  
 Sent to Senate, 176.  
 Returned, unchanged, 176.  
 Enrolled, 218.  
 Speaker signed, 218.  
 Sent to Senate for signing, 251.  
 Returned signed, 257.  
 To Secretary of State, 559.

## HOUSE CONCURRENT RESOLUTION "I"—(Stray)

Reserving foyer on front floor of capitol for dance by Legislative employees.

Read, printed, adopted, 182.  
 Sent to Senate, 186.  
 Returned, unchanged, 189.  
 Enrolled, 212.  
 Speaker signed, 217.  
 Sent to Senate for signing, 251.  
 Returned signed, 257.  
 To Secretary of State, 257.

## HOUSE CONCURRENT RESOLUTION "J"—(Fitch)

Requesting Congress not to pass legislation repealing the long and short freight rate clause.

Read, not printed, action deferred, 200.  
 Referred, 235.  
 Reported back, amended, 1142.  
 Entirely re-written, 1190.  
 General Orders, 1238.  
 Indefinitely postponed.

## HOUSE CONCURRENT RESOLUTION "K"—(Jensen and Rait)

Seeking Constitutional amendment to allow Legislature to exempt personal property from taxation, exempting homesteads occupied by owners or their families up to \$5,000 if a farm home and \$1,500 if a city home.

Read, not printed, referred, 273.  
 Printed as bill.  
 Reported back, amended, 562.  
 General Orders, 585.  
 Engrossed, 625.  
 Second reading, 644.  
 Sent to Senate, 718.  
 Returned, indefinitely postponed, 1475.

## HOUSE CONCURRENT RESOLUTION "L"—(Seibel and Sandness)

Calling for Constitutional amendment to increase number of signers on initiative and referendum petitions to 15,000.

Read, printed as bill, referred, 282.  
 Reported back, amended, 471.  
 General Orders, 490.  
 Other action, 491, 937, 971, 1049.  
 Second reading, 1090.  
 Amended on Second reading.  
 Engrossed, 1130.  
 Sent to Senate, 1134.  
 Returned, indefinitely postponed, 1529.

## HOUSE CONCURRENT RESOLUTION "M"—(Committee on Military Affairs)

Directing Governor to proclaim Oct. 11 as General Polaski memorial day.

Read, not printed, referred to committee.  
 Read and adopted, 263.  
 Sent to Senate, 339.  
 Returned, indefinitely postponed, 743.

## JOINT RESOLUTION "N"—(Wolf)

Ratifying transfer of State Rural Rehabilitation Corporation assets to Resettlement Administration.

Read, not printed, referred, 306.  
 Reported back and adopted, 345.  
 Final passage, 359, 359.  
 Senate advised, 368.  
 (Identical with "I" in the Senate.)

## HOUSE CONCURRENT RESOLUTION "O"—(Hagen)

Opposing modification of existing Federal Laws covering

importation of livestock from countries harboring hoof and mouth disease.

Read, not printed, referred, 375.  
 Reported back, 434.  
 Adopted, 485  
 Sent to Senate, 486.  
 Returned, unchanged, 1423.  
 Enrolled, 1467.  
 Speaker signed, 1486.  
 Sent to Senate for signing, 1503.  
 Returned signed, 1526.  
 To Governor, 1887.

HOUSE CONCURRENT RESOLUTION "P"—(Greiser, Schauss, and Peterson of Renville)

Authorizing State to cancel Legislative enrolling and engraving contract unless competent help is obtained.

Read, printed, adopted, 386, 387, 388.  
 Sent to Senate, 402.  
 Returned amended, 408.  
 Other action, 409, 429, 432, 450, 469.  
 Enrolled, 497.  
 Speaker signed, 507.  
 Sent to Senate for signing, 508.  
 Returned signed, 527.  
 To Governor, 559.

HOUSE CONCURRENT RESOLUTION "Q"—(Freitag)

Memorializing Congress to provide for care and relief of needy aged, blind Indians and dependent children who are wards of government.

Read, not printed, adopted, 440.  
 Sent to Senate, 492.  
 Returned, unchanged, 1423.  
 Enrolled, 1649.  
 To Senate for signing, 1782.  
 Returned signed, 1845.  
 To Governor, 1887.

HOUSE CONCURRENT RESOLUTION "R"—(Kapaun, Gilbert and Holm)

Providing for unicameral legislature.

Read, printed as bill, referred, 553.  
 Reported back, divided report, majority adopted, indefinitely postponed, 667.

HOUSE CONCURRENT RESOLUTION "S"—(Graham)

Congressional amendment to authorize commission government for counties.

Read, printed as bill, referred, 567.  
 Reported back, indefinitely postponed, 1143.

## HOUSE CONCURRENT RESOLUTION "T"—(Page)

Urges repeal of federal gasoline tax of one cent per gallon.

Read, not printed, referred, 567.

Reported back, adopted, 592.

Sent to Senate, 648.

Returned, indefinitely postponed, 1617.

## HOUSE CONCURRENT RESOLUTION "U"—(Ritter and Greiser)

Requesting Congress to pass a \$50,000,000 appropriation for allocation to States for eradication of weeds.

Read, not printed, referred, 635.

Reported back, adopted, 672.

Sent to Senate, 746.

Returned, indefinitely postponed, 1617.

## HOUSE CONCURRENT RESOLUTION "V"—(Traynor)

Urging ratification of proposed St. Lawrence seaway pact.

Read, printed and adopted, 635, 636.

Sent to Senate, 718.

Returned, unchanged, 1851.

Enrolled, 1897.

Speaker signed, 1942.

Sent to Senate for signing, 1944.

Returned signed, 1961.

To Secretary of State, 1990.

## HOUSE CONCURRENT RESOLUTION "W"—(Frosaker and Morris)

Relating to the taking of private property for public use.

Read, not printed, referred, 646.

Reported back, 1050.

Second reading, 1177.

Sent to Senate 1283.

Returned, indefinitely postponed, 1617.

## HOUSE CONCURRENT RESOLUTION "X"—(Frazier, Rait, and McIntee)

Amending and re-enacting Section 154 of the Constitution of the State of North Dakota.

Read, printed as bill, referred, 688.

Reported back, amended, 936, 937.

General Orders, 971.

Engrossed, 1049.

Second reading, indefinitely postponed, 1089.

## HOUSE CONCURRENT RESOLUTION "Y"—(Caddell and Wolf)

Requiring highway department to include a bridge across

Missouri River between Sioux and Emmons counties in 1938-39 construction program.

Read, not printed, adopted, 723.

Sent to Senate, 746.

Returned, indefinitely postponed, 1439.

HOUSE CONCURRENT RESOLUTION "Z" — (Olson of Bowman, Dalzell and Sandness)

Authorizing the State of North Dakota to enter into manufacturing and selling alcohol for motor fuel and alcohol and alcoholic beverages for beverage purposes.

Read, not printed, referred, 757.

Reported back, indefinitely postponed, 1193.

HOUSE CONCURRENT RESOLUTION "A-1"—(Olson of Adams)

Providing for investigation of means of blending alcohol with gasoline to encourage use of more grain.

Read, not printed, referred, 757.

Reported back, amended, 1193.

General Orders, 1281.

Engrossed, 1336.

Second reading, 1358.

Sent to Senate, 1361.

Returned, unchanged, 1850.

Enrolled, 1897.

Speaker signed, 1942.

Sent to Senate for signing, 1944.

Returned signed, 1962.

To Secretary of State, 1989.

HOUSE CONCURRENT RESOLUTION "B-1"—(Wolf and Caddell)

Providing for Constitutional Amendment allowing Manager Plan for County Government.

Read, printed as bill 356.

Referred, 790.

Further history under House bills.

HOUSE CONCURRENT RESOLUTION "C-1"—(Frazier)

Concerning School for the Blind at Bathgate.

Read, not printed, indefinitely postponed, 1317.

HOUSE CONCURRENT RESOLUTION "D-1"—(Joint Committee on Employment)

Providing for compiling a record of disposal of all House and Senate Bills.

Read, printed, adopted by roll call, 1398.

Sent to Senate, 1431.

Returned, unchanged, 1620.



Enrolled, 1686.  
Speaker signed, 1707.  
Sent to Senate for signing, 1734.  
Returned to House signed, 1846.  
To Governor, 1887.

**HOUSE CONCURRENT RESOLUTION "E-1"—(Joint Committee on Employment)**

Providing for indexing and preparation of the permanent Journal of the Twenty-Fifth Legislative Assembly.

Read, printed, adopted, 1397.  
Sent to Senate, 1431.  
Returned, unchanged, 1620.  
Enrolled, 1686.  
Speaker signed, 1707.  
Sent to Senate for signing, 1734.  
Returned signed, 1846.  
To Governor, 1887.

**HOUSE CONCURRENT RESOLUTION "F-1" — (Caddell and Wolf)**

Petitioning the President for federal loans to agricultural producers for grain storage facilities.

Read, adopted, printed, 1760, 1761.

**HOUSE CONCURRENT RESOLUTION "A-2"—(Schauss)**

Providing for pay for Joseph Coghlan for enrolling and engraving.

Read, printed, adopted, 1900.  
Sent to Senate, 1902.  
Returned, unchanged, 2028.  
Enrolled, 2039.  
Speaker signed, 2041.  
Sent to Senate for signing, 2048.  
Returned signed, 2053.  
To Governor, 2075.

## HOUSE RESOLUTIONS

### HOUSE RESOLUTION "A"—(Savre and Knudson of Steele)

Extending sympathy to sick members.

Read, printed and adopted, 106.

### HOUSE RESOLUTION "B"—(Frazier and Olson of Adams)

Requesting records from Taxpayers' Association.

Read, referred, 131.

Reported back, adopted, printed, 266.

Taxpayer's Association notified 1-27-37 as required in resolution.

Report rendered, filed with Secretary of State at close of session.

### HOUSE RESOLUTION "C"—(Freitag)

Requesting records from Public Welfare Board.

Read, printed, adopted, 178.

Amended, 179.

Served upon Welfare Board.

Report rendered, 226.

### HOUSE RESOLUTION "D"—(Godwin, Schimke and Hagen)

Authorizing Securities Commission to investigate Live-stock Credit Corporations.

Read, not printed, referred, 216.

Reported back, do pass, 267.

Adopted and printed, 268.

Enrolled, 954.

Speaker signed, 954.

To Secretary of State, 954.

### HOUSE RESOLUTION "E"—(Freitag)

Authorizing investigation of State Mill and Elevator, processing tax, how handled, also legal help and advertising since mill was established.

Read, amended and adopted, 292, 293.

Printed, 293.

To Governor, 2075.

### HOUSE RESOLUTION "F"—(Thoreson, Meyers, Schimke and Hagen)

Urging passage of Frazier-Lemke Refinance Bill.

Read, not printed, referred, 375.

Reported back, do pass, 434.

Adopted, 485.

Enrolled, 497.

Speaker signed, 507.

## HOUSE RESOLUTION "G"—(Freitag and Schimke)

Requiring Industrial Commission to investigate condition of State Mill and Elevator. (Committee on State Affairs.)

Read, not printed, referred, 407, 408.

Reported back, do pass, 432.

Printed, 433.

Adopted, 485.

Enrolled, 497.

Speaker signed, 507.

## HOUSE MEMORIAL RESOLUTION "H"—(Hagen)

Expressing sympathy to Representative Anderson upon death of his wife.

Read, printed in Journal, adopted, 477 and 478.

## HOUSE RESOLUTION "I"—(Schauss)

Paying \$12.90 bill of Melville Electric Shop of Bismarck for heaters.

Read, printed and adopted, 566.

Enrolled, 568.

Speaker signed, 599.

Sent to Governor.

## HOUSE RESOLUTION "J"—(Greiser)

Requesting an examination of banks in McIntosh County by special examiner.

Read, not printed, referred, 757.

## HOUSE RESOLUTION "K"—(Freitag, Beggs, Olson of McLean, Goodlaxon, Niewoehner, Biberdorf, Hofstrand, and Tweten)

Memorializing Congress to enact necessary legislation and make required appropriation to complete Missouri River Diversion Project in North Dakota.

Read, printed and adopted, 1075.

Enrolled, 1131.

Speaker signed 1158.

Sent to Secretary of State, 1364.

## HOUSE RESOLUTION "L"—(Godwin)

Appealing to Congress to enact legislation to guarantee to farmers a price for their products to place them on a parity basis with other industries.

Read, printed and adopted, 1238.

Enrolled, 1256.

Speaker signed, 1294.

To Secretary of State, 1364.

## HOUSE RESOLUTION "M"—(Magill)

Requiring motor vehicles to be equipped with recording speedometers.

Read, not printed, referred, 1565.

Reported back, do pass, 1714.

Adopted and printed, 1853.

Enrolled, 1897.

Speaker signed, 2037.

To Governor, 2075.

## HOUSE MEMORIAL RESOLUTION "N"—(Olson of Sargent County)

A memorial to Frank Riba of Sargent County.

Read, printed, adopted, 1654.

Enrolled, 1689.

Speaker signed, 1707.

To Secretary of State, 1779.

## HOUSE RESOLUTION "O"—(Burgum)

Extending sympathy to Representative Brusseau

Read, adopted, printed in Journal, 1760, 1762.

Enrolled, 1805.

Speaker signed, 1868.

To Secretary of State.

## JOINT MEMORIAL RESOLUTION "B-1"—(Committee on Memorials)

Honoring former members of the House of Representatives and prominent officials of the State of North Dakota.

Read, printed, adopted, 1208.

## HOUSE RESOLUTION "B-2"—(Twichell)

Providing for the forwarding of Journals and Bills of members.

Read, printed and adopted, 2024.

Enrolled, 2039.

Speaker signed, 2041.

Sent to Governor, 2075.

# RECORD OF SENATE BILLS IN THE HOUSE

## Senate Bill No. 1

Senate Bill No. 1. A Bill for an Act Providing for the Organization of Farmers State Mutual Fire and Lightning Reinsurance Companies, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Introduced, first reading, reference, 160.  
Reported back, do pass, 198.  
Re-referred, 219.  
Reported back, amended, 264.  
General Orders, 304.  
Second reading, 327.  
Returned to Senate, amended, 338, 339.  
Sent from the Senate for signing, 526.  
Speaker signed, 536.  
Returned, signed, 537.

## Senate Bill No. 3

Senate Bill No. 3. A Bill for an Act Prohibiting the Manufacture, Owning, Operating, Storing, Possessing, Selling, Renting, Leasing, Lending, Transporting, or in any Manner Handling or Exposing for Sale or Lease, any Slot Machine, Ball Machine, or Other Device; Defining the Duties of State's Attorneys, Peace Officers; Providing Penalties for the Violation of the Provisions of This Act; Continuing in Force Present Statutory Regulations Prohibiting or Regulating Slot Machines, and Declaring an Emergency.

Came from Senate, 495.  
Introduction, first reading, reference, 548.  
Reported back, indefinitely postponed, 634.  
Returned to Senate, indefinitely postponed, 718.

## Senate Bill No. 5

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduction, first reading, reference, 190.  
Reported back, amended, 966.  
General Orders, 973.  
Second reading, 1403.  
Returned to Senate, amended, 1434.  
Senate concurs, 1492.  
Sent to House for signing, 1536.  
Speaker signs, 1567.  
Sent to the Senate, 1571.

**Senate Bill No. 6**

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Introduction, first reading, reference, 132.  
Reported back, do pass, 297.  
Action deferred, 322.  
Second reading, 362.  
Sent to the Senate, 369.  
Sent to the House for signing, 557.  
Speaker, signed, 568.  
Returned to Senate, signed, 581.

**Senate Bill No. 7**

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Introduction, first reading, reference, 127.  
Reported back, do pass, 967.  
Second reading, 1030.  
Sent to the Senate, 1048.  
Returned to House for signing, 1140.  
Speaker signed, 1158.  
Returned signed, 1192.  
Came from Senate passed by 2/3 vote over the Governor's veto, 1872.  
Action deferred in House, 1967.

**Senate Bill No. 8**

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund; and Declaring an Emergency.

Introduction, first reading, reference, 127.  
Reported back, amended, 296.  
General Orders, 330.  
Second reading, 363.  
Further amendment on Second reading, 363.  
Returned to Senate, 368.  
Senate requests explanation, 409.  
Returned to Senate with explanation, 430.  
Senate concurs, 449.  
Came from Senate for signing, 526.  
Speaker signed, 536.  
Returned to Senate, signed, 537.

**Senate Bill No. 10**

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Sections 1471b1 to 1471b9 and 1471c1 to 1471c8 of the Supplement to the Compiled Laws of 1913.

Introduction, first reading, reference, 204.  
Reported back, do pass, 1371.  
Second reading, 1426.  
Returned to Senate, 1532.  
Sent for signing, 1679.  
Speaker signs, 1708.  
Returned to Senate, signed, 1731.

#### Senate Bill No. 11

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and as Amended by Chapter 7, Session Laws of 1935; and Magpie Bounty as Provided for by Section 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Came from Senate, 194.  
Introduction, first reading, reference, 204.  
Reported back, do pass, 1420.  
Second reading, action deferred one day, 1510.  
Action deferred, one day, 1676.  
Second reading, 1708.  
Returned to Senate, unchanged, 1736.  
Sent from Senate for signing, 1870.  
Speaker signed, 1870.  
Returned to Senate, signed, 1924.

#### Senate Bill No. 12

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Introduction, first reading, reference, 127.  
Reported back, do pass, 1421.  
Second reading, 1510.  
Returned to Senate, 1532.  
Came for signing, 1679.  
Speaker signs, 1708.  
Returned to Senate, 1731.

#### Senate Bill No. 13

Senate Bill No. 13. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening or Establishment of Stores in This State, Prescribing the License and Filing Fees to Be Paid Therefor, and the Disposition Thereof, and the Powers and Duties of the State Tax Commissioner in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Came from Senate, 1005.  
Introduction, first reading, reference, 1092.  
Reported back, indefinitely postponed, 1625.  
Returned to Senate, 1683. (Indefinitely postponed.)

**Senate Bill No. 14**

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Introduction, first reading, reference, 160.

Reported back, do pass, 296.

Re-referred, 322.

Reported back, do pass, 406.

Delayed one calendar day, 458.

Second reading, 486.

Returned to Senate, passed unchanged, 531.

Came from Senate for signing, 597.

Speaker signs, 599.

Returned to Senate, signed, 599.

**Senate Bill No. 15**

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Introduction, first reading, reference, 205.

Reported back, do pass, 1468.

Second reading, 1592.

Reported back, unchanged, 1681.

Returned to House for signing, 1744.

Speaker signed, 178.

Sent to Senate, signed, 1782.

**Senate Bill No. 16**

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Introduction, first reading, reference, 205.

Reported back, do pass, 1468.

Second reading, 1593.

Returned to Senate, 1681. (Unchanged.)

Came to House for signing, 1744.

Speaker signs, 1753.

Returned to Senate, signed, 1782.

**Senate Bill No. 17**

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Introduction, first reading, reference, 243.

Reported back, do pass, 1469.

Second reading, 1594. (Lost)

Reconsidered, 1603.

Second reading, 1798.

Returned to Senate, unchanged, 1837.

Came from Senate for signing, 1911.

Speaker signed, 1979.

Returned to Senate, 1983.



**Senate Bill No. 18**

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Introduction, first reading, reference, 160.  
 Reported back, do pass, 296.  
 Second reading, 326.  
 Returned to Senate, 337.  
 President signs.  
 Returned to House for signing, 401.  
 Speaker signs, 408.  
 Returned to Senate, signed, 432.  
 Sent to the Governor, 377.

**Senate Bill No. 20**

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Came from Senate, 590.  
 Introduction, first reading, reference, 609.  
 Reported back, amended, 1421.  
 General Orders, 1457.  
 Second reading, 1578.  
 Returned to Senate, amended, 1612.  
 Senate concurs, 1642.  
 Came to House, 1843.  
 Speaker signed, 1869.  
 Returned to Senate, 2020.

**Senate Bill No. 21**

Senate Bill No. 21. A Bill for An Act to Provide that Judgments not Renewed Within Ten Years From Date of Docketing Shall Be Discharged and Satisfied of Record, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, reference, 204.  
 Reported back, indefinitely postponed, 347.  
 Sent to the Senate, indefinitely postponed, 368.

**Senate Bill No. 22**

Senate Bill No. 22. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 222 of the Session Laws of 1931.

Came from Senate, 589.  
 Introduction, first reading, reference, 609.  
 Re-reference, 898.  
 Reported back, do pass, 1074.  
 Second reading, amended on, 1414.  
 Sent to the Senate, amended, 1471.  
 Senate concurs, 1492.  
 Came to House for signing, 1744.  
 Speaker signed, 1753.  
 Returned to Senate, signed, 1782.

**Senate Bill No. 23**

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 2, 3 and 8 of Chapter 135, of the Session Laws of 1935, Relating to the Election of Presidential Electors, Precinct Committeemen; Delegates to National Conventions, National Committeemen and Committeewomen; for organization of County and State Committees, of Political Parties.

Came from Senate, 1350.

Introduction, first reading, reference, 1382.

Reported back, indefinitely postponed, 1410.

Sent to the Senate, indefinitely postponed, 1472.

**Senate Bill No. 24**

Senate Bill No. 24. A Bill for an Act Relating to Motor Vehicles, Trailers, and Semi-trailers, the Ownership Thereof, and Other Interests Therein, and to Provide for the Registration Thereof, the Issuance of Certificates of Title Therefor Upon Payment of Fees; and to License Persons in the Business of Dealing in All Motor Vehicles; Trailers, and Semi-trailers; and to Protect Owners of Such Vehicles Against Theft, Embezzlement or Other Loss Thereof; Providing for Highway Traffic Regulations; and Providing for the Administration and Enforcement of Motor Vehicle Laws and Highway Traffic Regulations by Division of Highway Safety and Patrol; Providing for the Appointment of a Registrar of Motor Vehicles and Other Employees of the Department; Providing for the Appointment of a Superintendent of Division of Highway Safety and Patrol and Other Patrolmen and Employees; Prescribing Their Salaries and Providing for the Expense of Administration; Prescribing Their Duties and Term of Office; Providing for Operator's and Chauffeur's Licenses and the Fees to Be Paid Therefor; Providing for the Taking of Registration and Operator's and Chauffeur's License Applications; Providing for the Safety, Welfare and Protection of the Traveling Public in the Use of the Highways; Providing for Uniform Regulation of Highway Traffic; Providing for the Enforcement and Penalties for the Violation of the Provisions of This Act; Prescribing Rules of Interpretation and Repealing any Act or Parts of Acts Inconsistent with or in Conflict with the Provisions of This Act.

Came from Senate, 1349.

Introduction, first reading, reference, 1377.

Reported back, amended, 1626.

General Orders, 1667.

Second reading, 1746.

Read second time, 1839 (no roll call).

Second reading, 1750. (Lost)

Reconsidered, 1859. (Lost)

Returned to Senate, indefinitely postponed, 1880.

House requests return, 2022.

Message sent, 2119.

Senate refuses to return bill, 2046.

**Senate Bill No. 26**

Senate Bill No. 26. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Powers, Duties and Compensation of Such Commission and Executive Secretary; Providing for and Defining a Classified Civil Service for the State of North Dakota; Granting to the Civil Service Commission the Right to Make Rules for the Examination and Certification of Persons Eligible for Appointment to Positions in the Classified Civil Service; Making Certain Rules for the Appointment, Promotion, Transfer, and Reinstatement of Persons to Positions in the Classified Civil Service; Providing Penalties for Violations of the Act and Making an Appropriation for the Purpose of Paying the Salaries and Other Expenses of Said Civil Service Commission.

Came from Senate, 1008.

Introduction, first reading, reference, 1093.

Reported back, divided report, majority report for indefinite postponement, 1629.

Returned to the Senate, 1683. (Indefinitely postponed)

**Senate Bill No. 27**

Senate Bill No. 27. A Bill for an Act Making it Unlawful for the Governor or any Officer of the State, or any Manager or Executive Head or Other Person Directly or Indirectly Employed by any Department, Bureau, Commission or Industry of This State, or any Member of any State Board, to Appoint any Member of the Legislative Assembly to any Civil Office or any Civil Employment During the Term for Which Said Member Shall Have Been Elected; Making it Unlawful for any Member of Said Legislative Assembly to Accept Such Employment; Providing a Penalty, and Declaring an Emergency.

Introduction, first reading, reference, 190.

Reported back, indefinitely postponed, 272.

Re-referred, 216.

Reported back, divided report, indefinitely postponed, 241, 255.

Returned to the Senate, indefinitely postponed, 258.

**Senate Bill No. 29**

Senate Bill No. 29. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Came from Senate, 495.

Introduction, first reading, reference, 549.

Reported back, amended, 1366.

General Orders, 1385.

Second reading, 1433.

Returned to Senate, amended, 1536.

Other action, 1565, 1632, 1650, 1703, 1712, 1735, 1898, 1906,  
1916, 2001, 2003, 2007.  
Sent to the House for signing, 2042.  
Speaker signs, 2047.  
Returned to Senate signed, 2057.

#### Senate Bill No. 30

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure, and Audit Thereof; Supervision and Inspection Therefor.

Came from Senate, 494.  
Introduction, first reading, reference, 549.  
Reported back, amended, 1367.  
General Orders, 1386.  
Second reading, 1435.  
Returned to Senate, amended, 1536.  
Other action, 1565, 1712, 1999.  
Came to House for signing, 2054.  
Speaker signed, 2055.  
Returned to Senate, signed, 2058.

#### Senate Bill No. 31

Senate Bill No. 31. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Introduction, first reading, reference, 549.  
Reported back, amended, 1367.  
General Orders, 1386.  
Second reading, 1436.  
Returned to Senate, amended, 1536.  
Other action, 1565, 1712, 1999.  
Came to House for signing, 2054.  
Speaker signed, 2055.  
Returned to Senate, signed, 2058.

#### Senate Bill No. 32

Senate Bill No. 32. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Thereof.

Came from Senate, 494.  
Introduction, first reading, reference, 549.  
Reported back, amended, 1368.  
General Orders, 1386.  
Second reading, 1440.  
Returned to Senate, amended, 1536.  
Other action, 1565, 1712, 1999.  
Came to House for signing, 2053.  
Speaker signed, 2055.  
Returned to Senate, signed, 2058.

**Senate Bill No. 33**

Senate Bill No. 33. 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 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the Compiled Laws of 1913.

Introduction, first reading, reference, 191.  
 Reported back, do pass, 1371.  
 Second reading, 1427.  
 Sent to Senate, 1473.  
 Returned to House for signing, 1527.  
 Signed by Speaker, 1555.  
 Returned signed, 1568.

**Senate Bill No. 34**

Senate Bill No. 34. 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.

Introduction, First reading, reference, 172.  
 Reported back, do pass, 295.  
 Second reading, 325.  
 Returned to Senate, 337.  
 President signs.  
 Sent to House for signing, 402.  
 Speaker signs, 408.  
 Returned to Senate, 432.  
 Sent to the Governor, 377.

**Senate bill No. 35**

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduction, first reading, reference, 190.  
 Reported back, do pass, 1372.  
 Second reading, 1423.  
 Returned to the Senate, 1532.  
 Came to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned to the Senate, 1658.

**Senate Bill No. 36**

Senate Bill No. 36. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients as Prescribed by Section 2562 of the Compiled Laws of 1913.

Introduction, first reading, reference, 172.  
 Reported back, do pass, 295.  
 Indefinitely postponed from calendar, 325.  
 Returned to Senate, indefinitely postponed, 337.

**Senate Bill No. 37**

Senate Bill No. 37. 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, reference, 243.  
 Reported back, do pass, 1372.  
 Second reading, 1431.  
 Returned to Senate, 1532.  
 Came to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned to Senate, 1657.

**Senate Bill No. 38**

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927, and Chapter 74, Laws of 1929.

Introduction, first reading, reference, 205.  
 Reported back, do pass, 405.  
 Second reading, 457.  
 Sent to the Senate, 475.  
 Returned to the House for signing, 557.  
 Speaker signed, 568.  
 Returned to Senate, 581.  
 Vetoed, 620.

**Senate Bill No. 39**

Senate Bill No. 39. 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, 280.  
 Reference, 281.  
 Reported back, do pass, 1372.  
 Second reading, 1432.  
 Returning to Senate, 1532.  
 Came for signing to House, 1679.  
 Signed by Speaker, 1708.  
 Returned to Senate, signed, 1731.

**Senate Bill No. 40**

Senate Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Introduction, first reading, reference, 253.  
 Reported back, amended, 1481.  
 General Orders, 1522.  
 Second reading, 1607.  
 Returned, unchanged, 1680.  
 Came to House for signing, 1744.  
 House requests return (message in error), 1751.  
 Sent to House, 1787, 1759.

Returned to Senate, amended, 1787.  
 Other action, 1935.  
 Came to House for signing, 1945.  
 Speaker signed, 1981.  
 Returned to Senate, 1986.

#### Senate Bill No. 41

Senate Bill No. 41. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Introduction, first reading, reference, 191.  
 Reported back, do pass, 1401.  
 Second reading, 1498.  
 Returned to Senate, 1533.  
 Came to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned to Senate, 1657.

#### Senate Bill No. 42

Senate Bill No. 42. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, and Other Activities of Such Association, as Provided for Under Chapter 137, Session Laws of 1935.

Introduction, first reading, reference, 243.  
 Reported back, General Orders, 1550.  
 General Orders, 1664.  
 Second reading, 1811.  
 Returned to Senate, amended, 1833.  
 Other action, 1892.  
 Came to House for signing, 1946.  
 Speaker signed, 1981.  
 Returned to Senate, 1985.

#### Senate Bill No. 45

Senate Bill No. 45. A Bill for an Act Making an Appropriation for the Payment of Expenses to Be Incurred and Premiums Paid by the North Dakota State Turkey Show.

Introduction, first reading, reference, 324.  
 Reported back, do pass, 1092.  
 Second reading, 1417, indefinite postponement.  
 Sent to the Senate, indefinitely postponed, 1471.

#### Senate Bill No. 46

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 2092a1, Supplement to the Compiled Laws of 1913, Relating to Tax Commissioner.

Came from Senate, 356.  
 Introduction, first reading, 361.  
 Reference, 362.

Reported back, indefinitely postponed, 374.  
Substitute motion, on calendar, 374.  
Second reading, 456. (Lost)  
Returned to Senate, indefinitely postponed, 502.  
Other action, 2000.  
Senate notified, 2000.

**Senate Bill No. 47**

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 22, 23 and 24 of the Compiled Laws of North Dakota for 1913, and to Repeal Section 25 Thereof, Relating to the Redistricting of the State of North Dakota Into Two Congressional Districts and Defining the Same.

Came from Senate, 496.  
Introduction, first reading, reference, 549.  
Reported back, do pass, 1640.  
Second reading, 1815.  
Reconsidered, 1951.  
Other action, 1952.  
Sent to the Senate, indefinitely postponed, 1881.

**Senate Bill No. 48**

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 1164 of the Compiled Laws of the State of North Dakota for 1913, Pertaining to the Duties of the Clerks of Common School Districts, and Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 191.  
Reported back, amended, 289.  
General Orders, 329.  
Messaged back for correction, 335.  
Returned to House, corrected, 379.  
Other action, 392, 504, 524.  
Second reading, 577.  
Returned to Senate, 649.  
Sent to House for signing, 823.  
Speaker signed, 828.  
Returned to Senate, signed, 829.  
Governor signed, 880.

**Senate Bill No. 50**

Senate Bill No. 50. A Bill for an Act to Repeal Section 10185b of the Supplement to the Compiled Laws of 1913 Relating to Prohibiting Smoking in Specified Places.

Introduction, first reading, reference, 253.  
Reported back, do pass, 348.  
Second reading, 393.  
Returned to Senate, 402.  
Sent to the House for signing, 468.  
Speaker signed, 487.  
Returned to Senate, signed, 499.



**Senate Bill No. 51**

Senate Bill No. 51. A Bill for an Act to Amend and Re-enact Section 3181 of the Compiled Laws of North Dakota for 1913 and Section 3185 of the Supplement to the Compiled Laws of 1913.

Introduction, first reading, reference, 253.  
Reported back, 270.  
Re-referred, 270.  
Reported back, do pass, 1420.  
Second reading, indefinitely postponed, 1579.  
Returned to Senate, indefinitely postponed, 1534.

**Senate Bill No. 52**

Senate Bill No. 52. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry, Bottineau, North Dakota.

Came from Senate, 356.  
Introduction, first reading, reference, 361.  
Re-referred, 422.  
Reported back, amended, 1369.  
General Orders, 1387.  
Second reading, 1444.  
Sent to the Senate, amended, 1471.  
Senate concurs, 1492.  
Came to House for signing, 1527.  
Signed by Speaker, 1555.  
Returned signed, 1568.

**Senate Bill No. 53**

Senate Bill No. 53. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale, North Dakota.

Came from Senate, 380.  
Introduction, first reading, reference, 392.  
Reported back, do pass, 1370.  
Second reading, 1425.  
Sent to the Senate, 1473.  
Sent to the House for signing, 1527.  
Signed by the Speaker, 1555.  
Returned to Senate, 1568.

**Senate Bill No. 54**

Senate Bill No. 54. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the State School of Science at Wahpeton, North Dakota.

Came to House, 468.  
Introduction, first reading, reference, 486.  
Reported back, do pass, 1157.  
Second reading, 1452.  
Sent to the Senate, 1473.

Came to House for signing, 1527.  
Signed by Speaker, 1555.  
Returned to Senate, 1568.

**Senate Bill No. 55**

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Came from Senate, 380.  
Introduction, first reading, reference, 392.  
Reported back, do pass, 891.  
Second reading, 1028.  
Sent to the Senate, 1135.  
Returned to House for signing, 1140.  
Speaker signed, 1159.  
Returned signed, 1192.

**Senate Bill No. 56**

Senate Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Came from Senate, 449.  
Introduction, first reading, reference, 455.  
Reported back, do pass, 892.  
Second reading, 1029.  
Sent to the Senate, 1048.  
Returned to House for signing, 1137.  
Speaker signed, 1159.  
Returned signed, 1192.

**Senate Bill No. 57**

Senate Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Came from the Senate, 337.  
Introduction, first reading, reference, 361.  
Reported back, amended, 892.  
General Orders, 972.  
Second reading, 1391.  
Returned, amended, 1431.  
Senate concurs, 1492.  
Came from Senate for signing, 1537.  
Speaker signed, 1567.  
Sent to the Senate, 1570.

**Senate Bill No. 58**

Senate Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

**Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.**

Came from Senate, 380.  
 Introduction, first reading, reference, 392.  
 Reported back, amended, 1370.  
 General Orders, 1388.  
 Second reading, 1451.  
 Sent to the Senate, amended, 1471.  
 Senate concurs in amendments, 1492.  
 Came to House for signing, 1527.  
 Signed by Speaker, 1555.  
 Returned signed, 1568.

**Senate Bill No. 59**

Senate Bill No. 59. A Bill for an Act Prohibiting Dances in or on Premises, or Premises Adjacent to a Place Where Intoxicating Liquors are Sold as a Beverage; Defining the Duties of States Attorneys and Peace Officers; and Declaring an Emergency.

Came from the Senate, 623.  
 Introduction, first reading, reference, 650.  
 Reported back, divided report, 1713.  
 Second reading, 1839.  
 Returned to Senate, 1863. (Unchanged)  
 Came to House, 1879.  
 Speaker signed, 1899.  
 Returned to Senate, 1918.

**Senate Bill No. 62**

Senate Bill No. 62. A Bill for an Act to Create an Unemployment Compensation Fund from Contributions by Employers for the Payment of Compensation for Involuntary Unemployment, to Provide for Merit Ratings for Employers, to Create an Unemployment Compensation Division in the Workmen's Compensation Bureau, to Transfer the North Dakota State Employment Service to the Workmen's Compensation Bureau as a Division Thereof, to Provide for Compensation With the Social Security Board of the United States of America, to Provide for an Employment Service Account and an Appropriation Therefor, Defining and Regulating the Administration of This Act, to Provide for Penalties for Violation of Said Act, and Declaring an Emergency.

Came from Senate, 1349.  
 Introduction, first reading, reference, 1381.  
 Reported back, amended, 1537.  
 General Orders, 1660.  
 Second reading, 1806.  
 Returned to Senate, amended, 1833.  
 Other action, 1895, 1983, 2009, 2028, 2045, 2045, 2046, 2084.  
 Final passage and notification to House, 2065, 2066, 2172.  
 Sent to the House for signing, 2077.  
 Signed by the Speaker, 2077.  
 Returned to Senate, signed, 2078.

**Senate Bill No. 63**

Senate Bill No. 63. A Bill for an Act Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and an Inspector of Said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department. Providing for the Duties of Said Director, Assistant Director and Inspector of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith, the Enforcement of Said Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes and Providing for the Distribution of the Moneys Collected by the Regulatory Department to the Counties and State Equalization Fund. Repealing All Acts and All Parts of Acts in Conflict Herewith.

Came from Senate, 1137.  
Introduction, first reading, reference, 1379.  
Reported back, indefinitely postponed, 1489.  
Returned to Senate, indefinitely postponed, 1535.

**Senate Bill No. 64**

Senate Bill No. 64. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-fourth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Introduction, first reading, reference, 280.  
Reported back, do pass, 1420.  
Second reading, 1509.  
Returned to Senate, 1533.  
Came to the House for signing, 1615.  
Speaker signed, 1635.  
Returned to Senate, 1656.

**Senate Bill No. 65**

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Came from Senate, 589.  
Introduction, first reading, reference, 609.  
Reported back, do pass, 1074.  
Second reading, 1416.  
Sent to the Senate, 1473.  
Came from Senate, 1537.  
Speaker signs, 1567.  
Sent to the Senate, signed, 1569.

**Senate Bill No. 66**

Senate Bill No. 66. A Bill for an Act to Regulate the Operation of Pharmacies, Require the Obtaining of Permit Therefor, Prescribing Certain Requirements with Respect

Thereeto, Providing for Rules and Regulations to Be Formulated by the North Dakota Board of Pharmacy; and Prescribing Penalties for Violation Thereof.

Came from the Senate, 871  
 Introduction, first reading, reference, 1093.  
 Reported back, indefinitely postponed on motion, 1400.  
 Reported back, indefinitely postponed, 1685.  
 Returned to Senate, indefinitely postponed, 1736.  
 House requests return, 1951.  
 Senate returns, 1956.  
 Reconsidered, 1970.  
 Returned, passed unchanged, 1983.  
 Sent to the House for signing, 2042.  
 Speaker signs, 2047.  
 Sent to the Senate, signed, 2057.

#### Senate Bill No. 67

Senate Bill No. 67. A Bill for an Act Exempting from any Tax Upon the Sale of Personal Property, Sales of Equipment, Medicine, Drugs or Building Materials or Supplies to Institutions of Public Charity, Including Public Hospitals Under Control of Religious or Charitable Societies, Although Contract or Agreement to Purchase Such Property was Previously Entered Into; and Declaring an Emergency.

Came from Senate, 338.  
 Introduction, first reading, reference, 361.  
 Reported back, divided report, majority report adopted for indefinite postponement, 428.  
 Returned to Senate, indefinitely postponed, 500.

#### Senate Bill No. 68

Senate Bill No. 68. A Bill for an Act in Relation to Public Welfare and Social Security; to Provide for Public Aid to Dependent Children, and Prescribing the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Declaring an Emergency, and Repealing Chapter 165 of the Laws of 1925, Sections 2546a1 to 2546a10, Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Came from Senate, 449.  
 Introduction, first reading, 456.  
 Reported back, amended, 1562.  
 General Orders, 1665.  
 Second reading, 1813.  
 Returned to Senate, amended, 1831.  
 Other action, 1892.  
 Came to House signed, 1952.  
 Speaker signed, 1981.  
 Returned to Senate, signed, 1986.

#### Senate Bill No. 69

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 Relating to

the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Came from Senate, 380.  
 Introduction, first reading, reference, 392.  
 Reported back, do pass, 565.  
 Second reading, 611.  
 Returned to Senate, unchanged, 657.  
 Came to House for signing, 823.  
 Speaker signed, 829.  
 Returned to Senate, signed, 829.  
 Governor signed, 881.

#### Senate Bill No. 70

Senate Bill No. 70. A Bill for an Act Providing for and Relating to the Taxation of Individuals, Fiduciaries and Corporations; Prescribing the Rates Which Shall be Paid With Respect to Net Income as Defined in Article 35 of Chapter 34 of Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof; Providing When Losses May be Deducted; Providing for Exemptions and Credit Upon Tax; Providing for Date of Effect and to Amend and Re-enact Section 2346a23 of the Supplement to the Compiled Laws of 1913; and to Amend and Re-enact Section 2346a25 of the Supplement to the Compiled Laws of 1913; and Subsection 4 of Section 4 of Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 283, Session Laws, 1931; Providing for Making the Tax a Lien; Providing for Field Auditors; Providing for the Repeal of Paragraph "B" of Subsection 4 of Section 6 of Chapter 283 of the 1931 Session Laws; Making a Saving Clause and Declaring an Emergency.

Came from the Senate, 1348.  
 Introduction, first reading, reference, 1383.  
 Reported back, amended, 1515 to 1520.  
 General Orders, 1521.  
 Second reading, 1525.  
 Other action, 1567, 1603, 1604.  
 Returned to the Senate, amended, 1612.  
 Other action, 1642, 1904, 1999, 1949, 2044, 1950, 1963, 1987, 2015, 2111-2113, 2022, 2023, 2028.  
 Sent to the House for signing, 2069.  
 Speaker signed, 2070.  
 Returned to Senate, signed, 2076.

#### Senate Bill No. 72

Senate Bill No. 72. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibit any Deficiency Judgments.

Came from Senate, 675.  
 Introduction, first reading, 705.  
 Reference, 705.  
 Reported back, do pass, 997.  
 Second reading, 1404.

Returned to Senate, unchanged, 1430.  
Returned to House for signing, 1527.  
Signed by Speaker, 1555.  
Returned to Senate, 1568.

#### Senate Bill No. 73

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Came from Senate, 623.  
Introduction, first reading, reference, 650.  
Reported back, amended, 1401.  
General Orders, 1410.  
Second reading, 1503.  
Returned to Senate, amended, 1536.  
Senate concurred in House amendment, 1554.  
Came to House for signing, 1744.  
Speaker signed, 1753.  
Returned to Senate, 1781.

#### Senate Bill No. 74

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Came from Senate, 623.  
Introduction, first reading, reference, 650.  
Reported back, General Orders, 1551.  
General Orders, 1664.  
Second reading, 1729.  
Returned to Senate, amended, 1831.  
Other action, 1892.  
Came to House for signing, 1952.  
Speaker signed, 1981.  
Returned to Senate, 1986.

#### Senate Bill No. 75

Senate Bill No. 75. A Bill for an Act Making an Additional Appropriation to Care for the Operating Expenses of the 1935-1937 Biennium of the State Training School, Mandan, North Dakota, and Declaring an Emergency.

Came from Senate, 623.  
Introduction, first reading, reference, 650.  
Reported back, do pass, 1552.  
Second reading, 1816.  
Sent to the Senate, unchanged, 1837.  
Came to House for signing, 1911.  
Speaker signed, 1979.  
Returned to Senate, signed, 1983.

#### Senate Bill No. 76

Senate Bill No. 76. A Bill for an Act Making an Appro-

priation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Came to House, 1044.  
 Introduction, first reading, reference, 1094.  
 Reported back, do pass, 1402.  
 Second reading, 1499.  
 Returned to Senate, 1533.  
 Sent to House for signing, 1615.  
 Speaker signed, 1635.  
 Returned to Senate, 1657.

#### Senate Bill No. 77

Senate Bill No. 77. 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, 549.  
 Reference, 549.  
 Reported back, do pass, 753.  
 Second reading, 1026.  
 Sent to the Senate, 1048.  
 Came from Senate for signing, 1137.  
 Speaker signed, 1159.  
 Returned to Senate, 1191.

#### Senate Bill No. 78

Senate Bill No. 78. 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.

Came from Senate, 528.  
 Introduction, first reading, reference, 551.  
 Reported back, amended, 1402.  
 General Orders, 1410.  
 Second reading, 1504.  
 Returned to Senate, 1533.  
 Sent to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned to Senate, 1657.

#### Senate Bill No. 80

Senate Bill No. 80. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used by 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 and Declaring an Emergency.



Came from Senate, 1363.  
 Introduction, first reading, reference, 1374.  
 Reported back, amended, 1571 to 1575.  
 Second reading, 1610.  
 Reported back without recommendation, 1643.  
 Referred to General Orders, 1644.  
 General Orders, 1698 to 1701.  
 Action deferred one day, 1822.  
 Second reading, 1855.  
 Returned to Senate, unchanged, 1863.  
 House requests return, 1871.  
 Returned to House, 1892.  
 Reconsidered, 1898.  
 Final passage, 2014.  
 Returned to Senate, amended, 2017.  
 Other action, 2027.  
 Came to House for signing, 2055.  
 Speaker signed, 2062.  
 Returned to Senate, signed, 2063.

#### Senate Bill No. 81

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Came from Senate, 495.  
 Introduction, first reading, reference, 549.  
 Reported back, amended, 1368.  
 General Orders, 1387.  
 Second reading, 1441.  
 Sent to Senate, amended, 1471.  
 Other action, 1565, 2000.  
 Came to House for signing, 2056.  
 Speaker signed, 2165.  
 Returned to Senate signed, 2166.

#### Senate Bill No. 83

Senate Bill No. 83. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist From Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of this Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Came from Senate, 380.  
 Introduction, first reading, reference, 392.  
 Reported back, do pass, 505.  
 Second reading, 578.

Returned to Senate, passed unchanged, 613.  
 Came to House for signing, 823.  
 Speaker signed, 829.  
 Returned to Senate, signed, 829.  
 Governor signed, 881.

#### Senate Bill No. 84

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 8247a21 of the 1925 Supplement to the Compiled Laws, North Dakota, 1913, Relating to Lien of Assessments in Irrigation Districts, Giving the Same Equality as Liens with General Taxes and Sale Thereof, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Came to House, 338.  
 Introduction, first reading, reference, 361.  
 Reported back, do pass, 404.  
 Second reading, 458.  
 Returned to Senate, unchanged, 500.  
 Sent to the House for signing, 557.  
 Speaker signed, 568.  
 Returned to Senate, 581.

#### Senate Bill No. 85

Senate Bill No. 85. A Bill for an Act to Amend Chapter 94 of the Laws of 1935, Relating to Loans and Investments Under the National Housing Act so as to Make Mortgages Insured and Debentures Issued by the Federal Housing Administrator Eligible for Deposit; and for Clarification Purposes.

Came from Senate, 589.  
 Introduction, first reading, reference, 609.  
 Reported back, do pass, 1458.  
 Second reading, 1579.  
 Returned, unchanged, 1681.  
 Came to House, 1844.  
 Speaker signed, 1870.  
 Sent to the Senate, signed, 1924.

#### Senate Bill No. 86

Senate Bill No. 86. A Bill for an Act Providing for the Extermination of Bots in Horses and Mules; Defining Bot Treatment; Prescribing the Duties of Township Boards When Petitioned.

Came from Senate, 528.  
 Introduction, first reading, reference, 551.  
 Reported back, do pass, action deferred one day, 635.  
 Second reading, 1024.  
 Sent to the Senate, 1135.  
 Returned to House for signing, 1140.  
 Speaker signed, 1158.  
 Returned, signed, 1192.

**Senate Bill No. 87**

Senate Bill No. 87. A Bill for an Act Providing for the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

- Came from Senate, 380.
- Introduction, first reading, reference, 393.
- Reported back, do pass, 536.
- Action deferred, one day, 578.
- Second reading, 612.
- Returned to Senate unchanged, 657.
- Returned to Senate for signing, 740.
- Speaker signed, 755.
- Returned to Senate, signed, 756.

**Senate Bill No. 88**

Senate Bill No. 88. A Bill for an Act Making Unlawful Certain Discriminations in Price, in Services or Facilities Furnished, or in Payment for Services or Facilities to Be Rendered, in Connection with the Sale of Commodities in the Course of Trade or Commerce, and Providing Certain Remedies for Violation.

- Came from Senate, 496.
- Introduction, first reading, reference, 550.
- Reported back, indefinitely postponed, 1636.
- Returned to Senate, indefinitely postponed, 1683.

**Senate Bill No. 89**

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3644 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of City Boards of Equalization.

- Came from Senate, 381.
- Introduction, first reading, reference, 392.
- Reported back, do pass, 404.
- Second reading, 460.
- Returned to Senate, unchanged, 500.
- Returned to House for signing, 558.
- Speaker signed, 568.
- Returned to Senate, signed, 581.

**Senate Bill No. 90**

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 3801 of the Compiled Laws of North Dakota for the Year 1913, Relating to Officers Under the Commission Form of Government, and Declaring an Emergency.

- Came from Senate, 495.
- Introduction, first reading, reference, 550.
- Reported back, do pass, 1461.
- Second reading, 1586.
- Sent to the Senate, unchanged, 1613.
- Came to House for signing, 1744.
- Speaker signed, 1754.
- Returned to Senate, signed, 1781.

**Senate Bill No. 93**

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section Four (4) of Chapter 104 of the Laws of North Dakota for the Year 1933, Relating to the Granting and Revocation of Licenses to Practice Dentistry, Setting Forth the Grounds for the Revocation Thereof and Defining Unprofessional Conduct.

Came from Senate, 401.  
Introduction, first reading, reference, 455.  
Reported back, do pass, 565.  
Place at head of calendar, 586.  
Second reading, 602.  
Re-referred, 595.  
Second reading, 602.  
Returned to Senate, unchanged, 649.  
Sent to House for signing, 740.  
Speaker signed, 755.  
Returned to Senate, signed, 756.  
Governor signed, 930.

**Senate Bill No. 94**

Senate Bill No. 94. A Bill for an Act Providing for the Granting of Concessions in State, County, and Municipal Public Buildings and the Grounds Adjacent Thereto, for Cafes, Restaurants, and Confectionaries; and, Providing for the Leasing, Renting, and Licensing of Such Public Concessions, and Making it Unlawful for Any State Official, County Official, Municipal Official, and Any Commission or Board Thereof, to Let Anyone Have the Use and Benefits of Any Such Concessions Without Having Complied With the Provisions of This Act, and Providing a Penalty Therefor; and Making This Act an Emergency Measure.

Came from Senate, 556.  
Introduction, first reading, reference, 576.  
Reported back, indefinitely postponed, 1644.  
Returned to Senate, 1684. (Indefinitely postponed)

**Senate Bill No. 96**

Senate Bill No. 96. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Development of the International Peace Garden on the American Side in Rollette County, North Dakota.

Came from Senate, 713.  
Introduction, first reading, reference, 730.  
Reported back, do pass, 1450.  
Second reading, 1511.  
Returned to Senate, 1532.  
Came to House for signing, 1615.  
Speaker signed, 1634.  
Returned to Senate, 1657.

**Senate Bill No. 97**

Senate Bill No. 97. A Bill for an Act to Provide for the

Collection of Delinquent Taxes Levied and Assessed Upon Real and/or Personal Property from the Rents, Issues and Income Thereof by Means of Receivership. Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Came from Senate, 496.  
Introduction, first reading, reference, 550.  
Reported back, indefinitely postponed, 967.  
Sent to the Senate, indefinitely postponed, 1048.

#### Senate Bill No. 98

Senate Bill No. 98. A Bill for an Act to Promote the Public Welfare by Providing Aid to the Needy Blind.

Came from Senate, 556.  
Introduction, first reading, reference, 577.  
Reported back, amended, 1563.  
Second reading, 1823.  
General Orders, 1702.  
Returned to Senate, 1832, amended.  
Came to House for signing, 1995.  
Speaker signed, 2005.  
Returned to Senate, signed, 2020.

#### Senate Bill No. 99

Senate Bill No. 99. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Federal Funds for the Investigation and Development of the Mineral Resources Within the Bounds of the State of North Dakota.

Came from Senate, 623.  
Introduction, first reading, reference, 650.  
Reported back, do pass, 1552.  
Second reading, 1817.  
Sent to the Senate, unchanged, 1838.  
Came to House for signing, 1911.  
Speaker signed, 1979.  
Returned to Senate, 1984.

#### Senate Bill No. 100

Senate Bill No. 100. A Bill for an Act to Amend Section 3696a of the Supplement to the Compiled Laws of 1913, Relating to Liability of Municipalities for Injuries Caused by Accumulation of Frost, Snow, Ice or Sleet on Public Sidewalks, Crosswalks, Streets, Alleys or Other Public Ways and Exempting Municipalities from Liability for Injuries to Person or Property Occurring in Whole or in Part Upon State or National Highways Within Such Municipalities.

Came from Senate, 527.  
Introduction, first reading, reference, 550.  
Reported back, indefinitely postponed, 635.  
Returned to Senate, indefinitely postponed, 718.

**Senate Bill No. 101**

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Chapter 208 of the Session Laws of North Dakota for the Year 1935, Relating to Tax Limitations of Cities.

Came from Senate, 623.  
Introduction, first reading, reference, 650.  
Reported back, do pass, 675.  
Second reading, 1023.  
Reconsidered, 1043.  
Referred to General Orders, 1088.  
Other action and re-referred, 1121, 1129.  
Reported back, do pass, 1388.  
Second reading, 1454.  
Roll call, 1493.  
Returned to Senate, amended, 1612.  
Other action, 1642.  
Came to House for signnig, 1843.  
Speaker signed, 1869.  
Returned to Senate, signed, 1925.

**Senate Bill No. 104**

Senate Bill No. 104. A Bill for an Act Making an Appropriation for the Evangelical Lutheran Good Samaritan Society at Fargo, North Dakota, for the Care and Education of Crippled Children.

Came from Senate, 494.  
Introduction, first reading, reference, 550.  
Reported back, amended, 1369.  
General Orders, 1387.  
Second reading, 1443.  
Sent to Senate, amended, 1471.  
Other action, 1565, 1712, 2000.  
Came to House for signing, 2054.  
Speaker signed, 2055.  
Returned to Senate, signed, 2058.

**Senate Bill No. 105**

Senate Bill No. 105. A Bill for an Act to Amend and Re-enact Section 8, of Chapter 108, of the Session Laws of 1935, Relating to Credit Unions in the State of North Dakota.

Came from Senate, 871.  
Introduction, first reading, reference, 1093.  
Reported back, do pass, 1458.  
Second reading, 1580.  
Returned, unchanged, 1681.  
Came to House for signing, 1743.  
Speaker signed, 1754.  
Returned to Senate, 1781.

**Senate Bill No. 106**

Senate Bill No. 106. A Bill for an Act to Amend and Re-enact Section 7792 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 154 of the Session Laws

of North Dakota, for 1933, Relating to the Amount of Costs on Foreclosure of Liens, Who Entitled Thereto, Prohibiting the Division of Attorney Fees, Prescribing Penalty for Violation, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Came from Senate, 495.  
Introduction, first reading, reference, 550.  
Reported back, do pass, 719.  
Second reading, 1025.  
Sent to the Senate, 1048.  
Came to House for signing, 1141.  
Speaker signed, 1159.  
Returned to Senate, 1192, signed.

#### Senate Bill No. 107

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 7971, Compiled Laws of 1913, Relating to Actions of quo warranto Against Usurping Officers and Others.

Came from Senate, 624.  
Introduction, first reading, reference, 650.  
Reported back, indefinitely postponed, 1637.  
Returned to Senate, indefinitely postponed, 1684.

#### Senate Bill No. 108

Senate Bill No. 108. A Bill for an Act Requiring an Appropriation by the Legislature, Before Any Expenditure Can Be Made or Liability Incurred for Advertising by the State, or Any of Its Institutions, Departments or Enterprises.

Came from the Senate, 528.  
Introduction, first reading, reference, 550.  
Reported back, amended, 1461.  
General Orders, indefinitely postponed, 1521.  
Returned to the Senate, indefinitely postponed, 1684.

#### Senate Bill No. 110

Senate Bill No. 110. A Bill for an Act Validating, Ratifying, Approving, and Confirming Certain Bonds and Other Instruments or Obligations Heretofore Issued, and Validating, Ratifying, Approving and Confirming Certain Proceedings Heretofore Taken, by Public Bodies in This State.

Came to House, 1139.  
Introduction, first reading, reference, 1381.  
Reported back, do pass, 1462.  
Second reading, 1587. (Lost)  
Placed on calendar after reconsideration, 1666.  
Second reading, 1814.  
Sent to Senate, unchanged, 1837.  
Came to House for signing, 1911.  
Speaker signed, 1979.  
Returned to the Senate, signed, 1984.

**Senate Bill No. 111**

Senate Bill No. 111. A Bill for an Act Authorizing Municipalities to Acquire, Construct, Re-construct, Improve, Better, and Extend Certain Revenue-producing Undertakings; to Maintain and Operate the Same and to Prescribe, Revise and Collect Rates, Fees, Tolls, and Charges for the Services, Facilities, and Commodities Furnished Thereby, and, in Anticipation of the Collection of the Revenues Thereof, to Issue Bonds Payable Solely From Such Revenues; Regulating the Issuance of Such Bonds and Providing for Their Payment and for the Rights of the Holders Thereof, and Other Matters Necessary in the Premises; and Declaring an Emergency.

Came to House, 1044.  
 Introduction, first reading, reference, 1093.  
 Reported back, do pass, 1462.  
 Second reading, 1588.  
 Returned, unchanged, 1680.  
 Came to House for signing, 1743.  
 Speaker signed, 1754.  
 Returned to Senate, signed, 1784.

**Senate Bill No. 112**

Senate Bill No. 112. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts With Federal Agencies Relating to the Construction and Financing of Such Projects and Confering Additional Power Upon Municipalities; and Declaring an Emergency.

Came from Senate, 842.  
 Introduction, first reading, 856.  
 Reference, 857.  
 Reported back, do pass, 1463.  
 Second reading, 1589.  
 Returned, unchanged, 1681.  
 Came to House for signing, 1743.  
 Speaker signed, 1754.  
 Returned to Senate, signed, 1784.

**Senate Bill No. 113**

Senate Bill No. 113. A Bill for an Act to Authorize and Regulate the Issuance of Bonds for the Purpose of Refinancing or Refinancing and Improving, Revenue-producing Works, Undertakings, and Projects by Cities, Villages and Towns, and to Provide for the Payment of Such Bonds, the Remedies of Holders Thereof; and Declaring an Emergency.

Came from the Senate, 1199.  
 Introduction, first reading, reference, 1377.  
 Reported back, do pass, 1463.  
 Second reading, 1590.  
 Returned, unchanged, 1681.  
 Came to the House for signing, 1844.  
 Speaker signed, 1870.  
 Sent to the Senate, signed, 1924.



**Senate Bill No. 114**

Senate Bill No. 114. A Bill for an Act to Declare the Necessity of Creating Public Bodies Corporate and Politic to Be Known as Housing Authorities to Undertake Slum Clearance and Projects to Provide Dwelling Accommodations for Persons of Low Income; to Create Such Housing Authorities in Cities Having a Population of More Than 5000 Inhabitants and in Counties; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property, Borrowing Money, Issuing Bonds and Other Obligations, and Giving Security Therefor; to Provide that Housing Authorities May Obtain the Attorney General's Opinion Upon Their Bonds; to Provide that Housing Authorities, Their Property and Securities Shall be Exempt From Taxation and Assessment, But to Authorize Certain Payments in Lieu of Taxes; to Confer Remedies on Obligees of Housing Authorities; and to Declare an Emergency.

Came from Senate, 1199.  
 Introduction, first reading, reference, 1378.  
 Reported back, do pass, 1469.  
 Second reading, action deferred, 1596.  
 Final vote, 1745.  
 Sent to the Senate, unchanged, 1836.  
 Came to House for signing, 1995.  
 Speaker signed, 2005.  
 Returned to Senate, signed, 2020.

**Senate Bill No. 116**

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8203, Supplement to the Compiled Laws of 1913, Relating to the Right to Exercise Eminent Domain, and Declaring an Emergency.

Came from Senate, 1199.  
 Introduction, first reading, reference, 1378.  
 Reported back, do pass, 1477.  
 Second reading, 1792. (Lost)  
 Returned to Senate, indefinitely postponed, 1926.

**Senate Bill No. 118**

Senate Bill No. 118. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

Came to House, 1138.  
 Introduction, first reading, reference, 1379.  
 Reported back, do pass, 1469.  
 Second reading, 1595. (Lost)  
 Reconsidered, 1610.  
 Second reading, 1799.  
 Sent to the Senate, unchanged, 1837.  
 Came to House for signing, 1912.  
 Speaker signed, 1979.  
 Returned to the Senate, signed, 1984.

**Senate Bill No. 119**

Senate Bill No. 119. A Bill for an Act Regulating All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan, Which Provide for Protective and/or Indemnity Benefits, Excepting Benevolent Corporations as Defined by Chapter 23, Compiled Laws of 1931, and for the Repeal of Chapter 160 of the Session Laws of 1931, and Acts or Parts of Acts in Conflict Herewith.

Came from Senate, 590.  
 Introduction, first reading, reference, 610.  
 Reported back, amended, 945.  
 General Orders, 973.  
 Second reading, 1392.  
 Sent to Senate, amended, 1471.  
 Senate concurs in amendments, 1492.  
 Sent to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned, to Senate, signed, 1657.

**Senate Bill No. 120**

Senate Bill No. 120. A Bill for an Act Providing for the Supervision and Regulation by the Board of Railroad Commissioners of the State of North Dakota, of the Transportation of Persons and Property Over North Dakota Public Highways by Motor Propelled Vehicles, Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby and Providing for the Enforcement of the Provisions of this Act and for Penalties for the Violation Thereof, Repealing All of Section 2976V1 to 2976V16 Inclusive, Being Article 55b of Chapter 38 of the Political Code of the State of North Dakota of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, and Chapter 90 of the Session Laws of 1927; Chapter 148 of the Session Laws of 1929; Chapter 188 of the Session Laws of 1931; Chapter 164 of the Session Laws of 1933; Chapter 179 of the Session Laws of 1935, and Chapter 182 of the Session Laws of 1935; and All Other Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Came from Senate, 1348.  
 Introduction, first reading, 1383.  
 Reference, 1384.  
 Reported back, amended, 1538.  
 General Orders, 1661. (Indefinitely postponed.)  
 Put on calendar, 1673.  
 Amended, Second reading, 1792.  
 Second reading, 1821, action deferred.  
 Amended, 1828. (Lost)  
 Sent to the Senate, indefinitely postponed, 1927.

**Senate Bill No. 124**

Senate Bill No. 124. A Bill for an Act Providing for the Employment of a Fire Department Instructor; Prescribing the Qualifications of Such Instructor and the Duties There-

of; Providing for Salary and Expenses of, and Fees to Be Charged by Such Instructor; Requiring Reports and Providing an Appropriation to Carry Out the Provisions of This Act.

Came to House, 1138.  
 Introduction, first reading, reference, 1379.  
 Reported back, do pass, 1553.  
 General Orders, 1701.  
 Second reading, 1822.  
 Sent to Senate unchanged, 1838.  
 Came to House for Signing, 1912.  
 Speaker signed, 1979.  
 Returned signed, 1984.

#### Senate Bill No. 125

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 951, Compiled Laws of North Dakota of the Year 1913, as Amended by Chapter 136 of the Session Laws of 1927; Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

Came to House, 714.  
 Introduction, first reading, reference, 730.  
 Reported back, indefinitely postponed, 1411.  
 Sent to Senate, indefinitely postponed, 1472.

#### Senate Bill No. 126

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 852 of the Supplement to the Compiled Laws of 1913, Relating to the Holding of Primary Elections and Repealing All Acts or Parts of Acts in Conflict Herewith.

Came to House, 1140.  
 Introduction, first reading, reference, 1381.  
 Reported back, do pass, 1389.  
 Second reading, 1494.  
 Sent to Senate unchanged, 1533.  
 Came to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned signed, 1637.

#### Senate Bill No. 128

Senate Bill No. 128. A Bill for an Act Making an Appropriation for the Purpose of Paying the Salary of an Executive Director, Stenographic Employees and Miscellaneous General Expenses of the State Planning Board.

Came to House, 931.  
 Introduction, first reading, reference, 1093.  
 Reported back, amended, 1645.  
 General Orders, 1672.  
 Second reading, 1820. Lost.  
 Reconsidered, final passage, 1858.  
 Returned, amended, 1863.  
 Senate concurs, 1892.

Came to House for signing, 1946.  
Speaker signed, 1981.  
Returned, signed, 1985.

**Senate Bill No. 129**

Senate Bill No. 129. A Bill for an Act Making Provision for the Use of Business Records as Evidence and Making Uniform the Law with Reference Thereto.

Introduction, first reading, reference, 610.  
Reported back, do pass, 997.  
Second reading, 1406.  
Sent to Senate unchanged, 1473.  
Came to House for signing, 1537.  
Speaker signed, 1567.  
Returned signed, 1569.

**Senate Bill No. 130**

Senate Bill No. 130: A Bill for an Act for the Judicial Notice of the Laws of Other Jurisdictions and for Proof Thereof and to Make Uniform the Law With Reference Thereto.

Introduction, first reading, reference, 610.  
Reported back, do pass, 997.  
Second reading, 1407.  
Sent to Senate unchanged, 1473.  
Came to House for signing, 1537.  
Speaker signed, 1567.  
Returned signed, 1569.

**Senate Bill No. 131**

Senate Bill No. 131. A Bill for an Act Providing for the Use of Official Reports as Evidence and Making Uniform the Law With Reference Thereto.

Came to House, 590.  
Introduction, first reading; reference, 619.  
Reported back, do pass, 998.  
Second reading, 1413.  
Returned to Senate unchanged, 1532.  
Came to House for signing, 1616.  
Speaker Signed, 1634.  
Returned signed, 1658.

**Senate Bill No. 132**

Senate Bill No. 132. A Bill for an Act to Repeal Chapter 254, Laws 1933, Relating to Old Age Pensions and to Cancel All Claims or Rights of Claim on Behalf of the State or Any County by Virtue of Pensions Paid Under Said Act and All Transfers of Property Made by Any Applicant for Pension Under Said Act.

Came to House, 589.  
Introduction, first reading, reference, 609.  
Reported back, do pass, 1627.

Second reading (amended) 1728.  
Returned to Senate amended, 1831.  
Senate concurs, 1892.  
Came to House for signing, 1946.  
Speaker signed, 1981.  
Returned signed, 1986.

**Senate Bill No. 133**

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Sub-Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Introduction, first reading, reference, 857.  
Reported back, indefinitely postponed, 1157.  
Returned, indefinitely postponed, 1192.

**Senate Bill No. 137**

Senate Bill No. 137. A Bill for an Act Vesting in and Imposing Upon the State Welfare Board Additional Powers and Duties, Repealing Sections 283b6 and 283b7, Supplement to the Compiled Laws, 1913, and Declaring an Emergency.

Came from Senate, 589.  
Introduction, first reading, reference, 609.  
Reported back, indefinitely postponed, 1553.  
Returned, indefinitely postponed, 1614.

**Senate Bill No. 138**

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 3839 of the Compiled Laws of North Dakota for the Year 1913.

Came to House, 744.  
Introduction, first reading, reference, 857.  
Reported back, indefinitely postponed, 1396.  
Returned, indefinitely postponed, 1473.

**Senate Bill No. 140**

Senate Bill No. 140. A Bill for an Act to Amend and Re-enact Section 1649 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for Experimentation and Testing of State Minerals or Allied Industrial Resources of the School of Mines at the University of North Dakota, or at Any Mining Experimental Station, or Substation Wheresoever Situated in the State of North Dakota, and Providing for the Patenting of Processes and Inventions Discovered and Developed by Such Experimentation, and Declaring an Emergency.

Introduction, first reading, reference, 704, 705.  
Reported back, do pass, 1645.  
Second reading, 1800.

Sent to Senate unchanged, 1837.  
Came to House for signing, 1912.  
Speaker signed, 1979.  
Returned signed, 1984.

**Senate Bill No. 141**

Senate Bill No. 141. A Bill for an Act to Promote the Public Welfare by Providing for Public Assistance to Aged Persons in Need.

Came to House, 1139.  
Introduction, first reading, reference, 1380.  
Re-referred, 1520.  
Reported back, amended, 1564.  
General Orders, 1702.  
Second reading, 1824.  
Sent to Senate, amended, 1832.  
Senate concurs, 1892.  
Came to House for signing, 2056.  
Speaker signed, 2062.  
Returned signed, 2064.

**Senate Bill No. 142**

Senate Bill No. 142. A Bill for an Act to Amend and Re-enact Chapter 81 of the Session Laws for the Year 1933, Relating to Bonds from Contractors on Public Improvements; Repealing Section 6835 of the Compiled Laws for the Year 1913, and All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Came to House, 871.  
Introduction, first reading, reference, 1093.  
Reported back, indefinitely postponed, 1539.  
Reconsidered, 1546.  
Second reading, 1720.  
Sent to Senate unchanged, 1736.  
Came to House for signing, 1843.  
Speaker signed, 1869.  
Speaker signed, 1869.  
Returned signed, 1925.

**Senate Bill No. 143**

Senate Bill No. 143. A Bill for an Act Authorizing the Secretary of State to Contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, for the Publication of a Compiled Edition of the Laws of North Dakota; Making an Appropriation; Creating a Revolving Loan Fund; and Declaring an Emergency.

Came to House, 687.  
Introduction, first reading, reference, 704.  
Reported back, divided report; action deferred, 1478.  
Reconsidered, put in General Orders, 1540, 1546.  
General Orders, 1546, 1663.  
Second reading, 1809. Lost.  
Returned, indefinitely postponed, 1881.

**Senate Bill No. 148**

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws for the Year 1929, and Chapter 267 of the Session Laws for the Year 1935, Relating to the Custodian of the State Capitol and Grounds and Describing His Power, Duties and Appointing Such Custodian.

Came to House, 823.  
 Introduction, first reading, reference, 831.  
 Reported back, indefinitely postponed, 1371.  
 Returned, indefinitely postponed, 1430.

**Senate Bill No. 151**

Senate Bill No. 151. A Bill for an Act to Authorize, Regulate and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages, as Now Defined by Law, in This State by Common Carriers, Providing for the Method of Taxing and Licensing Alcohol and Alcoholic Beverages When Handled and Sold by Common Carriers, and of Expending and Distributing the Revenues from Such Taxes and Licenses, and Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Came to House, 1045.  
 Introduction, first reading, reference, 1094.  
 Reported back, do pass, 1396.  
 Second reading, 1496. Lost.  
 Reconsidered, action deferred, 1498, 1600.  
 Second reading, 1794.  
 Sent to Senate unchanged, 1836.  
 Came to House for signing, 1995.  
 Speaker signed, 2005.  
 Returned signed, 2020.

**Senate Bill No. 152**

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Dealing with the North Dakota Beverage Inspection Act, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the Fee Required to be Paid for Registration of Label Thereof, and Declaring an Emergency.

Came to House, 1138.  
 Introduction, first reading, reference, 1380.  
 Reported back, do pass, 1541.  
 Second reading, indefinitely postponed on motion, 1610.  
 Returned, indefinitely postponed, 1682.

**Senate Bill No. 153**

Senate Bill No. 153. A Bill for an Act to Prevent Fraud and Deception in the Sale of Livestock Medicines; Providing for the Registration and Labeling of Livestock Medicines;

Authorizing Rules and Regulations for the Administration of this Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Came to House, 1138.  
Introduction, first reading, reference, 1380.  
Reported back, do pass, 1646.  
Second reading, amended, 1802.  
Returned amended, 1833.  
Senate concurs, 1892.  
Came to House for signing, 2056.  
Speaker signed, 2062.  
Returned signed, 2063.

#### Senate Bill No. 154

Senate Bill No. 154. A Bill for an Act to Provide a Method of Voting at any General or Primary Election by Electors Absent or Anticipating Being Absent on the Day of Such Election from the County in Which They are Electors, Repealing Sections 992, 993, 995 and 996 of the Compiled Laws of North Dakota 1913 as Amended by Chapter 136 of the 1931 Session Laws and by Chapter 107 of the 1933 Session Laws, and Repealing Sections 994, 997, 998, 999, 1000, 1001, 1002, 1003 and 1004 of the Compiled Laws of North Dakota 1913, and Repealing all Acts or Parts of Acts in Conflict Herewith.

Came to House, 744.  
Introduction, first reading, reference, 857.  
Reported back, do pass, 1389.  
Action deferred, 1478.  
Second reading, 1596. Indefinitely postponed.  
Returned, indefinitely postponed, 1614.

#### Senate Bill No. 157

Senate Bill No. 157. A Bill for an Act Concerning Changes in the Tariffs, Rates, Joint Rates, Fares, Tolls, Schedules or Classifications or Service; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring this Act to be an Emergency Measure.

Came to House, 624.  
Introduction, first reading, reference, 650, 651.  
Reported back, do pass, 1646.  
Second reading, 1803.  
Sent to Senate, unchanged, 1837.  
Came to House for signing, 1912.  
Speaker signed, 1980.  
Returned signed, 1984.

#### Senate Bill No. 158

Senate Bill No. 158. A Bill for an Act to Provide for the Attendance of Non-Resident Students at the Public Schools of This State; to Regulate the Terms of Their Admission; and to Permit the Payment by School Boards



of Tuition, Transportation, Board and Lodging of Resident Students Attending Other Schools.

Came to House, 946  
 Introduction, first reading, reference, 981.  
 Senate requests return, 1008.  
 Came to House, 1138.  
 Reference, 1379.  
 Reported back, do pass, 1541.  
 Second reading, indefinitely postponed, 1654.  
 Returned, indefinitely postponed, 1682.

**Senate Bill No. 160**

Senate Bill No. 160. A Bill for an Act Prohibiting Chattel Mortgages on Personal Property When Such Mortgage Fails to Specifically Describe the Property Mortgaged or When the Same is Designated by Group; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Came to House, 872.  
 Introduction, first reading, reference, 1094.  
 Reported back, do pass, 1418.  
 Second reading, 1507.  
 Returned unchanged, 1533.  
 Came to House for signing, 1616.  
 Speaker signed, 1634.  
 Returned signed, 1657.

**Senate Bill No. 161**

Senate Bill No. 161. A Bill for an Act to Promote the Public Welfare by Providing for Assistance for Crippled Children and for Child Welfare Services.

Came to House, 1341.  
 Introduction, first reading, reference, 1374.  
 Re-referred, 1547.  
 Reported back, amended, 1637.  
 General Orders, 1669.  
 Second reading 1819.  
 Returned, amended, 1832.

**Senate Bill No. 163**

Senate Bill No. 163. A Bill for an Act Providing for the Taxation of Gasoline Sold or Purchased for the Purpose of Operating and Propelling Airplanes and Aircraft, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, reference, 981.  
 Returned to Senate upon their request, 1007.  
 Came to House, 1350.  
 Reference, 1382, 1439.  
 Reported back, indefinitely postponed, 1397.  
 Reconsidered and re-referred, 1400.  
 Reported back, indefinitely postponed, 1490.  
 Returned, indefinitely postponed, 1534.

**Senate Bill 167**

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 236 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Common School Transportation; and Declaring an Emergency.

Came to House, 931.  
 Introduction, first reading, reference, 1094.  
 Reported back, indefinitely postponed, 1647.  
 Returned, indefinitely postponed, 1736.

**Senate Bill No. 168**

Senate Bill No. 168. A Bill for an Act to Create, Define and Establish "Airmen's Association of the State of North Dakota," Providing for the Creation of a Fund for the Use of Said Association to be Known as "Airmen's Aviation Fund."

Came to House, 931.  
 Introduction, first reading, reference, 1094.  
 Re-referred, 1400.  
 Reported back, indefinitely postponed, 1491.  
 Returned, indefinitely postponed, 1535.

**Senate Bill No. 169**

Senate Bill No. 169. A Bill for an Act to Provide for the Protection of Prehistoric Deposits, Relics, Indian Mounds, Graves, Village Sites, and Other Archaeological Material. To Provide for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Material and Providing a Penalty for Violations.

Came to House, 1199.  
 Introduction, first reading, reference, 1377.  
 Reported back, indefinitely postponed, 1541.  
 Returned, indefinitely postponed, 1683.

**Senate Bill No. 170**

Senate Bill No. 170. A Bill for an Act to Impose a Tax Upon Dogs, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax Is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, Wolves, or Coyotes; Providing for the Killing of Dogs, Wolves, or Coyotes in Certain Cases; Providing for the Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act. Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Came to House, 999.  
 Introduction, first reading, reference, 1094.  
 Reported back, General Orders, 1542.  
 General Orders, 1662.  
 Second reading, 1808. Lost.  
 Sent to Senate, indefinitely postponed, 1926.

**Senate Bill No. 173**

Senate Bill No. 173. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96, of the Session Laws of the State of North Dakota for the Year 1931, Relating to Reserve Funds of State Banking Associations.

Came to House, 871.  
 Introduction, first reading, reference, 1095.  
 Reported back, do pass, 1458.  
 Second reading, 1581.  
 Sent to Senate unchanged, 1682.  
 Came to House for signing, 1743.  
 Speaker signed, 1754.  
 Returned signed, 1783.

**Senate Bill No. 175**

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1373, Session Laws of 1911, Chapter 266.

Came to House, 872.  
 Introduction, first reading, reference, 1095.  
 Reported back, do pass, 1542.  
 Second reading, 1658.  
 Sent to Senate, 1737.  
 Came to House for signing, 1844.  
 Speaker signed, 1870.  
 Returned signed, 1924.

**Senate Bill No. 176**

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Section 1370, Session Laws of 1911, Chapter 266, as Amended by Chapter 239, Session Laws of 1927.

Came to House, 872.  
 Introduction, first reading, reference, 1095.  
 Reported back, do pass, 1542.  
 Second reading, 1659.  
 Sent to Senate unchanged, 1680.  
 Came to House for signing, 1743.  
 Speaker signed, 1754.  
 Returned signed, 1783.

**Senate Bill No. 177**

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1376, Session Laws of 1911, Chapter 266.

Came to House, 872.  
 Introduction, first reading, reference, 1095.  
 Reported back, do pass, 1543.  
 Second reading, 1711. Lost.  
 Reconsidered, 1712.  
 Final passage, 1825.  
 Sent to Senate unchanged, 1838.  
 Came to House for signing, 1912.  
 Speaker signed, 1980.  
 Returned signed, 1984.

**Senate Bill No. 178**

Senate Bill No. 178. A Bill for an Act Making an Appropriation for Improvements and Repairs at the North Dakota Soldiers' Home at Lisbon, North Dakota.

Came to House, 1139.  
Introduction, first reading, reference, 1380.  
Reported back, do pass, 1402.  
Second reading, 1501.  
Sent to Senate unchanged, 1533.  
Came to House for signing, 1679.  
Speaker signed, 1708.  
Returned signed, 1731.

**Senate Bill No. 179**

Senate Bill No. 179. A Bill for an Act to Provide for the Conservation, Protection, Improvement and Profitable Use of Agricultural Land Resources of the State of North Dakota and for Co-operation with the Governments and Agencies of Other States and of the United States Pursuant to the Provisions of Section 7 of an Act of the Congress of the United States Known as the Soil Conservation and Domestic Allotment Act, to Assent to and Accept the Provisions of Said Act; and, in Conformity With the Provisions of Said Act, to Designate and Authorize the North Dakota Agricultural College, Extension Service as the State Agency of This State in Conformity With Such Provisions, to Formulate, Submit to the Secretary of Agriculture of the United States, and Administer, State Plans to Carry Out the Provisions of This Act, to Define the Powers and Duties of said State Agency, to Provide for State Committee and Otherwise to Provide for the Administration of This Act.

Came to House, 871.  
Introduction, first reading, reference, 1095.  
Reported back, do pass, 1459.  
Second reading, 1582.  
Sent to Senate, unchanged, 1612.  
Came to House for signing, 1744.  
Speaker signed, 1754.  
Returned signed, 1783.

**Senate Bill No. 180**

Senate Bill No. 180. A Bill for an Act Providing for a Compact Between the States of Minnesota, South Dakota and North Dakota, Authorizing the Creation of a Tristate Waters Commission With Power to Supervise the Utilization and Control of the Waters of That Portion of the Drainage Basin of the Red River of the North Lying Within Minnesota, South Dakota and North Dakota.

Came to House, 1286.  
Introduction, first reading, reference, 1347.  
Reported back, do pass, 1543.  
Second reading (amended) 1714.  
Returned to Senate unchanged, 1737.  
Came to House for signing, 1843.  
Speaker signed, 1869.  
Returned signed, 1925.

**Senate Bill No. 181**

Senate Bill No. 181. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 193 of the 1933 Session Laws Relating to the Appointment of a Manager and Other Employees of the State Mill and Elevator.

Came to House, 824.  
Introduction, first reading, reference, 831.  
Reported back, indefinitely postponed, 1463.  
Returned, indefinitely postponed, 1535.

**Senate Bill No. 182.**

Senate Bill No. 182. A Bill for an Act Relating to the Public Health and to the Local Control of Preventable Diseases; and to Authorize and Permit the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties; to Establish and Maintain Full Time Local Health Departments in Cooperation With and Under the Direction of the State Department of Health; Provide for the Appointment of Local Boards of Health, a Full Time Local Health Officer and the Necessary Personnel of Local Health Units or Districts; Providing a Health Fund; Prescribing the Qualifications of the Health Officer and the Personnel of the Local Health Unit or District; and Providing for Their Compensation; Authorizing Local Boards of Health Organized Hereunder to Make Rules and Regulations Governing Matters Relating to the Public Health of Local Health Units or Districts and to the Control of Preventable Diseases Therein.

Came to House, 1285.  
Introduction, first reading, reference, 1376.  
Reported back, amended, 1543.  
General Orders, 1662.  
Reconsidered, put on calendar, 1722.  
Second reading, 1841. Lost.  
Sent to Senate indefinitely postponed, 1926.

**Senate Bill No. 183**

Senate Bill No. 183. A Bill for an Act to Authorize and Empower the Public Welfare Board to Borrow Money from the Bank of North Dakota, and Declaring an Emergency.

Came from Senate, 1349.  
Introduction, first reading, reference, 1382.  
Reported back, indefinitely postponed, 1459.  
Returned indefinitely postponed, 1614.

**Senate Bill No. 184**

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3 and 7 of Chapter 3, Session Laws of 1933, Relating to Unfair Discrimination in the Purchase Price of Certain Farm Products.

Came to House, 1349.  
Introduction, first reading, reference, 1382.  
Reported back, indefinitely postponed, 1459.  
Returned indefinitely postponed, 1614.

**Senate Bill No. 185**

Senate Bill No. 185. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fifty-one Cents (\$1,240.51) from the General Funds of the State of North Dakota to Compensate O. P. Shelstad for the Moneys Paid Out of His Own Funds for Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation.

Came to House, 872.  
 Introduction, first reading, reference, 1095.  
 Reported back, indefinitely postponed, 1450.  
 Sent to Senate indefinitely postponed, 1472.  
 House requests return, 1525.  
 Senate reutrns, 1559.  
 Reconsidered, 1560. Lost.  
 Reconsidered, put on calendar, 1797. Lost.  
 Returned, indefinitely postponed, 1881.

**Senate Bill No. 187**

Senate Bill No. 187. A Bill for an Act Providing for Establishing, on Petition, of Temporary and Permanent Farm and Rural Home Advisory Councils, Under Whose Guidance Shall Be Conducted Agricultural, Home Economics and 4-H Club Programs, Providing for the Levy of an Annual Tax Therefor and for Term of Office of Council, Manner of Creating and Provision for Traveling Expense of Permanent Council, for the Appointment of Extension Agents, the Budgeting of Expenses and for Procedure to Discontinue Levy for Agricultural, Home Economics, and 4-H Club Programs in Any County, Providing for Applicability of This Act to Counties Where the County Extension Work Has Been Provided and is Being Conducted Under the Statutes in Force Prior to the Enactment of This Act, and for the Discontinuance in Such Counties Within a Fixed Period of the County Work so Performed Under Former Statutes, and Repealing Section 3259A of the 1925 Supplement to the Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Herewith.

Came to House, 1348.  
 Introduction, first reading, reference, 1382, 1383.  
 Reported back, do pass, 1544.  
 Second reading, 1718.  
 Sent to Senate unchanged, 1737.  
 Came to House for signing, 1843.  
 Speaker signed, 1870.  
 Returned signed, 1924.

**Senate Bill No. 189**

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Sub-section 19 of Section 3861 of the Compiled Laws of North Dakota for the Year 1913, Relating to Penalties Imposed for Violation of Village Ordinances; and Declaring an Emergency.

Cam eto House, 1045.  
 Introduction, first reading, reference, 1096.

Reported back, do pass, 1493.  
Second reading, indefinitely postponed, 1600.  
Returned indefinitely postponed, 1614.

#### Senate Bill No. 192

Senate Bill No. 192. A Bill for an Act Making an Appropriation for a Pension for Mrs. Thelma Crites, Widow of National Guardsman John E. Crites.

Came to House, 1218.  
Introduction, first reading, reference, 1378.  
Reported back, do pass, 1481.  
Second reading, 1598.  
Sent to Senate unchanged, 1613.  
Came to House for signing, 1742.  
Speaker signed, 1755.  
Returned signed, 1783.

#### Senate Bill No. 194

Senate Bill No. 194. A Bill for an Act to Regulate the Business of Selling Used Motor Vehicles by Dealers Not Residing in or Having a Permanent Place of Business in This State, and by Resident Dealers Purchasing, Handling and Selling Used Motor Vehicles Received or Acquired From Non-Resident Dealers; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar, and Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring Delivery of a Certificate of Title and Providing Penalties for the Violation of the Provisions of This Act.

Came to House, 1285.  
Introduction, first reading, reference, 1375, 1376.  
Reported back, do pass, 1545.  
Second reading, 1717.  
Sent to Senate unchanged, 1737.  
Came to House for signing, 1843.  
Speaker signed, 1869.  
Returned signed, 1925.

#### Senate Bill No. 195

Senate Bill No. 195. A Bill for an Act to Rid the State of a Public Nuisance, Namely Irresponsible Collectors or Collection Agencies who Themselves are Operating Without Sufficient Funds and Who are Unable to Pay their Own Obligations, Yet Who Continually Persist in Cluttering Up the Courts With Garnishment and Attachment Actions, Causing Many Worthy Individuals with Large Families to Support, to Lose Their Jobs by Useless Litigation.

Came to House, 872.  
Introduction, first reading, reference, 1096.  
Reported back, indefinitely postponed, 1546.  
Returned indefinitely postponed, 1769.

**Senate Bill No. 196**

Senate Bill No. 196. A Bill for an Act to Amend Section 6 of Chapter 85 of the Session Laws for the Year 1929, Relating to the Licensing of Airmen and Aircraft; Making Violation Thereof a Misdemeanor, and Providing the Penalty Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring This Act to Be an Emergency Measure.

Came to House, 988.

Introduction, first reading, reference, 1096.

Re-referred, 1401.

Reported back, indefinitely postponed, 1491.

Returned indefinitely postponed, 1534.

**Senate Bill No. 198**

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 2166 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 of the Session Laws of North Dakota for 1929, and as Amended by Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2 of Chapter 279 of the Session Laws of North Dakota for 1931; Section 2169 and Section 2175 of the Compiled Laws of North Dakota for 1913; and Section 2178 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 122 of the Session Laws of North Dakota for 1935, Providing for the Delinquency of Personal Property Taxes, the Penalty Thereon and the Collection Thereof by the County Treasurer; Providing for a Lien for Delinquent Personal Taxes; Providing for Delinquent Tax Lists and the Duties of the Board of County Commissioners in Connection Therewith; Providing for the Duties of the County Treasurer and for His Neglect or Refusal to Perform His Duty in Connection Therewith, and for a penalty; Providing for the Fees for the Sheriff, or County Treasurer in Making Distress for Personal Taxes; Repealing Sections 2167, 2168 and 2173 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Came to House, 1139.

Introduction, first reading, reference, 1380.

Reported back, indefinitely postponed, 1411.

Returned indefinitely postponed, 1472.

**Senate Bill No. 199**

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 2133 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Township Board of Review, Complaints and Grievances With Reference Thereto, and Providing for an Appeal to the Board of County Commissioners, Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, reference, 1096.

Reported back, do pass, 1157.

Second reading, action deferred, 1454.



Final passage, 1514, indefinitely postponed.  
Returned, indefinitely postponed, 1534.

**Senate Bill No. 202**

Senate Bill No. 202. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775 and 7776 of the Compiled Laws for 1913, Dealing with Amendment of Sheriff and Clerk of Court and Procedure, and Abolishing Amercement Proceedings.

Came to House, 872.  
Introduction, first reading, reference, 1096.  
Reported back, do pass, 1419.  
Second reading, indefinitely postponed, 1508.  
Returned to Senate indefinitely postponed, 1534.  
Reconsidered, 1537.  
House requests return, 1680.  
Senate returns, 1738.  
Reconsidered, 1773, 1774.  
Sent to Senate indefinitely postponed, 1926.

**Senate Bill No. 205**

Senate Bill No. 205. A Bill for an Act Empowering the State Public Health Advisory Council to Make, Amend, Repeal and Suspend Public Health Regulations Concerning the Production, Transportation, Processing, Handling, Sampling, Examination, Grading, Labeling, Regrading, and Sale of Milk and Milk Products, the Inspection of Health Certificates on Dairy Herds, Dairies and Milk Plants.

Came to House, 999.  
Introduction, first reading, reference, 1906.  
Reported back, do pass, 1492.  
Second reading, indefinitely postponed, 1600.  
Sent to Senate, indefinitely postponed, 1614.

**Senate Bill No. 206**

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 158, Session Laws of 1933, Relating to Foreclosure of Mortgages by Advertisement.

Came to House, 873.  
Introduction, first reading, reference, 1097.  
Reported back, do pass, 1548.  
Second reading, indefinitely postponed, 1721.  
Returned, indefinitely postponed, 1736.

**Senate Bill No. 208**

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Chapter 244 of the Session Laws of North Dakota for 1935, Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court, and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply With This Law.

Came to House, 873.  
Introduction, first reading, reference, 1097.  
Reported back, do pass, 1548.  
Second reading, 1721.  
Sent to Senate unchanged, 1836.  
Came to House for signing, 1912.  
Speaker signed, 1980.  
Returned signed, 1985.

**Senate Bill No. 212**

Senate Bill No. 212. A Bill for an Act Providing for the Cancellation and Release of Gas and Oil Leases Which Have Expired by the Terms Thereof and Have Not Been Renewed of Record Within Five Years After the Expiration Thereof, and Declaring an Emergency.

Came to House, 1045.  
Introduction, first reading, reference, 1097.  
Reported back, do pass, 1396.  
Second reading, 1497.  
Sent to Senate unchanged, 1614.  
Came to House for signing, 1742.  
Speaker signed, 1755.  
Returned to Senate signed, 1783.

**Senate Bill No. 213**

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Section 2093 of the Supplement to the Compiled Laws of 1913, Defining Manner of Listing Real and Personal Property and Declaring an Emergency.

Came to House, 1139.  
Introduction, first reading, reference, 1381.  
Reported back, indefinitely postponed, 1412.  
Returned indefinitely postponed, 1472.

**Senate Bill 214**

Senate Bill No. 214. A Bill for an Act to Amend and Re-enact Section 3314a6 of the Supplement to the Compiled Laws of 1913, Providing that all Expenditures Must Conform to the County Budget as Adopted; Providing that no Bill Incurred in Excess of Any Budget Item May Be Paid or Included in Any Succeeding Appropriation or Budget, and Defining Duties of County Auditor.

Came to House, 931.  
Introduction, first reading, reference, 1097.  
Reported back, indefinitely postponed, 1373.  
Returned, indefinitely postponed, 1430.

**Senate Bill No. 216**

Senate Bill No. 216. A Bill for an Act to Repeal Chapter 255 of the Session Laws of 1931, Relating to Teachers Oath or Affirmation to Be Taken and Subscribed to by Professors,

**Instructors and Teachers in Public Schools, Colleges and Universities of this State.**

Came to House, 842.  
 Introduction, first reading, reference, 857.  
 Reported back, do pass, 1548.  
 Second reading, indefinitely postponed, 1724.  
 Returned, indefinitely postponed, 1881.

**Senate Bill No. 218**

Senate Bill No. 218. A Bill for an Act Providing for the Payment of a Bounty on Crows.

Came to House, 999.  
 Introduction, first reading, reference, 1097.  
 Reported back, indefinitely postponed, 1459.  
 Returned indefinitely postponed, 1615.

**Senate Bill No. 222**

Senate Bill No. 222. A Bill for an Act Establishing and Defining the Powers and Duties of a State Soil Conservation Committee; Providing for the Creation of Soil Conservation Districts and Defining the Powers and Duties Thereof; Empowering Such Districts to Adopt Programs and Regulations in Connection With Land Use Practices; Providing for the Selection of District Supervisors; Providing for the Adoption of Land Use Regulations and Providing Penalty for Violation of the Same; Providing for Boards of Adjustment in Connection With Land Use Regulations; Providing for the Discontinuance of Districts; Making an Appropriation and Declaring an Emergency.

Came to House, 1219.  
 Introduction, first reading, reference, 1378.  
 Re-referred, 1389.  
 Reported back, do pass, 1460.  
 Second reading, 1584 (Lost).  
 Reconsidered, 1603.  
 Second reading, 1710 (Lost).  
 Put on calendar, 1713.  
 Amended on second reading, 1790.  
 Returned to Senate, amended, 1830.  
 Other action, 1892.  
 Came to House for signing, 2042.  
 Speaker signed, 2046.  
 Sent to Senate, signed, 2057.

**Senate Bill No. 226**

Senate Bill No. 226. A Bill for an Act Amending and Re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Printing of Popular and Authenticated Editions of the Session Laws, Reducing Numbers of Copies of Popular Editions Required to Be Printed, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 1286.  
Reference, 1375.  
Reported back, do pass, 1648.  
Second reading, 1804.  
Sent to the Senate, unchanged, 1836.  
Came to House for signing, 1912.  
Speaker signed, 1980.  
Returned to Senate, signed, 1985.

**Senate Bill No. 227.**

Senate Bill No. 227. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association; Providing for the Creation of the Board of Managers and Defining Its Powers, Duties, and Qualifications to Such Board; Providing for the Appointment of an Auditor and for the Filling of Vacancies on Such Board; Providing for Removal of Members of Such Board; Providing for the Organization of Such Board and the Matter of Conducting Business; Providing Procedure in Actions Brought Against Such Association; Providing for Employees and Bonds; Providing for Examination by the State Examiner and Repealing Chapter 268 of Session Laws of 1931 and Chapter 193 of the Session Laws of 1933.

Came to House, 1044.  
Introduction, first reading, 1097.  
Reference, 1098.  
Reported back, indefinitely postponed, 1464.  
Returned to Senate, indefinitely postponed, 1535.

**Senate Bill No. 231**

Senate Bill No. 231. A Bill for an Act Providing for the Abolition of the Office of Common School District Treasurer Upon Majority Vote at Annual School Elections.

Introduction, first reading, reference, 1098.  
Reported back, indefinitely postponed, 1549.  
Returned to Senate, indefinitely postponed, 1682.

**Senate Bill No. 232**

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 959 of the Supplement to the Compiled Laws of 1913 Relating to Election Ballots.

Introduction, first reading, reference, 1098.  
Reported back, indefinitely postponed, 1413.  
Sent to Senate, indefinitely postponed, 1472.

**Senate Bill No. 235**

Senate Bill No. 235. A Bill for an Act Establishing a State Board of Public Finance, Setting Out the Membership Thereof, Defining the Duties of Such Board, Making It Unlawful for Any State Officer, Superintendent, Manager or Head of Any State Department to Purchase or Sell Securities for or on Behalf of the State and Providing a Penalty There-

for; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Came to House, 1138.  
 Introduction, first reading, reference, 1379.  
 Reported back, indefinitely postponed, 1648.  
 Returned to Senate, indefinitely postponed, 1684.

#### Senate Bill No. 236

Senate Bill No. 236. A Bill for an Act Prohibiting the Admission of Any Minor Into Any Retail Liquor Store in the State of North Dakota Holding an "On Sale" License Under the Provisions of the Liquor Control Act of This State, and Requiring Rigid Enforcement of This Act by Police Officials and State's Attorneys, and Declaring an Emergency.

Came to House, 1139.  
 Introduction, first reading, reference, 1380.  
 Reported back, indefinitely postponed, 1492.  
 Returned to Senate, indefinitely postponed, 1534.

#### Senate Bill No. 238

Senate Bill No. 238. A Bill for an Act Providing for the Payment to the State Treasurer of All Public Monies of the State of North Dakota, and the Disbursement and Expenditure Thereof Only Upon Prior Appropriation by the Legislature, Appropriating Certain Monies, and Providing Further that Expenditures May Be Made Only Upon Warrant After Audit of Itemized Statements of All Claims Against The State, County or Other Political Subdivision, Repealing All Acts or Parts of Acts in Conflict Therewith, Declaring an Emergency and Providing a Saving Clause.

Came from Senate, 1285.  
 Introduction, first reading, reference, 1376.  
 Reported back, amended, 1390.  
 General Orders, 1409.  
 Second reading, indefinitely postponed on motion, 1502.  
 Returned to Senate, indefinitely postponed, 1534.

#### Senate Bill No. 239

Senate Bill No. 239. A Bill for an Act Authorizing and Directing the State Historical Society of North Dakota to Sell to the United States Government Lands Acquired for Park Purposes at Arrowood Lake in Stutsman County, North Dakota and Providing for Manner of Disposing of Funds Accruing From Said Sale, and Declaring an Emergency.

Came from Senate, 1285.  
 Introduction, first reading, reference, 1376.  
 Reported back, do pass, 1451.  
 Second reading, 1512.  
 Sent to the Senate, 1613, unchanged.  
 Returned to House for signing, 1742.  
 Speaker signed, 1755.  
 Returned to Senate, signed, 1783.

**Senate Bill No. 243**

Senate Bill No. 243. A Bill for an Act Making an Emergency Appropriation for High School Correspondence Courses; and Declaring an Emergency.

Came from Senate, 1286.  
Introduction, first reading, reference, 1375.  
Reported back, do pass, 1549.  
Second reading, 1725.  
Sent to the Senate, unchanged, 1837.  
Came to House for signing, 1946.  
Speaker signed, 1981.  
Returned to Senate, Signed, 1985.

**Senate Bill No. 244**

Senate Bill No. 244. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Land and/or Materials to Be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Came from Senate, 1199.  
Introduction, first reading, 1377.  
Reference, 1378.  
Reported back, indefinitely postponed, 1482.  
Reconsidered, 1561.  
Action deferred one day, 1561.  
Sent to the Senate, indefinitely postponed, 1615.

**Senate Bill No. 245**

Senate Bill No. 245. A Bill for an Act Directing the Board of Railroad Commissioners to Test Electric Meters of Electric Utility Companies and Gas Meters of Gas Utility Companies, and to Determine the Heat Values of Natural and/or Artificial Gas Distributed by Public Gas Utility Companies, and Making an Appropriation for Testing Equipment Therefor, and Declaring an Emergency.

Came from Senate, 1348.  
Introduction, first reading, reference, 1383.  
Reported back, do pass, 1482.  
Second reading, 1599.  
Returned, unchanged, 1681.  
Returned to House, for signing, 1743.  
Speaker signed, 1755.  
Returned to Senate, signed, 1782.

**Senate Bill No. 246**

Senate Bill No. 246. A Bill for an Act, Providing for the Issuance by the Industrial Commission of Certificates of Indebtedness in Anticipation of the Collection of Property Taxes, Which Have Been Levied by the State Board of Equalization; Prescribing the Terms and Conditions Hereof; Providing for Their Sale and Delivery and Payment; Establishing of the Certificate of Indebtedness Retirement Fund, and Repealing All Acts or Parts of Acts

**Inconsistent With the Provisions of This Act, and Declaring an Emergency.**

Came from Senate, 1219.  
 Introduction, first reading, reference, 1375.  
 Reported back, amended, 1482.  
 General Orders, 1522.  
 Second reading, 1608.  
 Returned, unchanged, 1680.  
 Returned to House for signing, 1743.  
 Request Senate to return, 1751.  
 Other action, 1759, 1787.  
 Sent to Senate, amended, 1788.  
 Came to House for signing, 1913.  
 Speaker signed, 1980.  
 Returned to Senate, 1985.

**Senate Bill No. 247**

Senate Bill No. 247. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fifth Legislative Assembly, and Declaring an Emergency.

Came from Senate, 1218.  
 Introduction, first reading, 1378.  
 Reference, 1379.  
 Reported back, do pass, 1485.  
 Second reading, 1600.  
 Sent to the Senate, unchanged, 1613.  
 Came to House for signing, 1742.  
 Speaker signed, 1755.  
 Returned to Senate, signed, 1782.  
 House requests return, 2016.  
 Other action, 2029.  
 Final passage, 2030.  
 Returned to Senate, amended, 2031.  
 Other action, 2045.  
 Came to House for signing, 2056.  
 Speaker signed, 2062.  
 Returned to Senate, signed, 2063.

**Senate Bill No. 248**

Senate Bill No. 248 A Bill for an Act to Encourage and Promote the Payment of Taxes By Providing for a Rebate On Payments.

Came from Senate, 1219.  
 Introduction, first reading, reference, 1375.  
 Reported back, do pass, 1390.  
 Second reading, re-referred, 1427.  
 Reported back, indefinitely postponed, 1460.  
 General Orders on motion, 1460.  
 General Orders, 1595.  
 Second reading, 1606.

Returned, unchanged, 1680.  
 Came to House for signing, 1742.  
 Request Senate return, 1751.  
 Other action, 1787.  
 House amended and returned, 1788.  
 Other action, 1895.  
 Came to House for signing, 1913.  
 Speaker signed, 1979.  
 Returned to Senate, signed, 1983.

#### Senate Bill No. 250

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 4444 and 4446 of Chapter 9 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing for Adoption of Minors and Adults, and Declaring an Emergency.

Came from Senate, 1285.  
 Introduction, first reading, reference, 1376.  
 Reported back, indefinitely postponed, 1554.  
 Sent to the Senate, indefinitely postponed, 1614.

#### Senate Bill No. 252

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 2, of Chapter 274, of the Session Laws of North Dakota for the Year 1935, Relating to the Deduction of Delinquent Personal Property Taxes from Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons Receiving Public Funds and Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money from Municipalities and Political Sub-divisions Within the State.

Came from Senate, 1347.  
 Introduction, first reading, reference, 1384.  
 Reported back, do pass, 1413.  
 Second reading, 1506.  
 Sent to the Senate, unchanged, 1613.  
 Returned to House, for signing, 1835.  
 Speaker signed, 1755.  
 Returned to Senate, signed, 1782.

#### Senate Bill No. 253

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 5 and 6 of Chapter 109 of the Session Laws of North Dakota for the Year 1935, Relating to Mutual Aid Corporations, and Declaring an Emergency.

Came from Senate, 1350.  
 Introduction, first reading, reference, 1382.  
 Reported back, do pass, 1461.  
 Second reading, 1586.



Sent to the Senate, 1614, indefinitely postponed.  
 Reconsidered, 1666.  
 Ask return from Senate, 1728.  
 Other action, 1758, 1794.  
 Reconsidered and put on calendar, 1794.  
 Second reading, 1854.  
 Returned to Senate, unchanged, 1863.  
 Came to House for signing, 1913.  
 Speaker signed, 1979.  
 Returned to Senate, signed, 1983.

#### Senate Bill No. 254

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4 of Chapter 138 of the North Dakota Session Laws for the Year 1929 Entitled "An Act to Provide for the Storage of Grain Upon Farms and on or Near Railway Rights-of-Way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of 'Grain Storage Commissioner of North Dakota,' Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Came from Senate, 1286.  
 Introduction, first reading, reference, 1374.  
 Reported back, indefinitely postponed, 1550.  
 Returned to Senate, 1682.

#### Senate Bill No. 255

Senate Bill No. 255. A Bill for an Act Relating the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly; Repealing Section 52 of the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict Herewith.

Came from Senate, 1350.  
 Introduction, first reading, reference, 1382.  
 Reported back, amended, 1648.  
 General Orders, 1697.  
 Second reading, 1914.  
 Amended, 1821.  
 Second reading, 1860.  
 Returned to Senate, amended, 1862.  
 Other action, 1895, 1901, 1916, 1919.  
 Came to House for signing, 1952.  
 Speaker signed, 1981.  
 Returned to Senate, signed, 1986.

**Senate Bill No. 256**

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sections 4 and 28 of Chapter 157 of the Session Laws of North Dakota for 1927, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressers and Cosmetologists, and to Provide Penalties for Violation Thereof.

Came from Senate, 1348.

Introduction, first reading, reference, 1383.

Reported back, amended, 1418.

General Orders, 1456.

Second reading, 1577.

Returned to Senate, amended, 1612.

Other action, 1647.

Returned to House for signing, 1742.

Speaker signed, 1756.

Returned to Senate, signed, 1782.

# HOUSE ACTION UPON SENATE RESOLUTIONS

## JOINT RESOLUTION "D"

Came to House, 125.  
Read, adopted, 125, 126.  
Returned to Senate, 127.

## JOINT RESOLUTION "E"

Came to House, 141.  
Read, printed, adopted, 141.  
Returned to Senate, 142.

## JOINT MEMORIAL "A"

Came to House, 140.  
Read, printed, adopted, 140.  
Returned to Senate, 142.  
Came to House for signing, 191.  
Speaker signed, 188.  
Returned signed, 194.

## SENATE JOINT RESOLUTION "I"

Identical as House Resolution "N."  
Sent to House for signing, 469.  
Speaker signed, 488.  
Returned to Senate, signed, 499.

## SENATE CONCURRENT RESOLUTION "A"—(Brostuen, Thoreson, and Owings)

Requesting Congress to buy livestock feed for farmers.  
Received from Senate, 56.  
Read and adopted, 56.  
Returned to the Senate, 61.  
Received from the Senate for signing, 85.  
Speaker signed, 87.  
Returned to Senate, signed, 90.

## SENATE CONCURRENT RESOLUTION "B"—(Gilbertson and Strehlow)

Requesting Congress to continue Federal aid for control of  
Bang's disease in cattle.  
Received from Senate, 89.  
Read and adopted and returned to Senate, 89.  
Received from the Senate for signing, 98.  
Signed and returned, 99.  
Other action, corrected copies, 107, 112.

SENATE CONCURRENT RESOLUTION "C" — (Brostuen and Thatcher)

Requesting Congress to extend the period of time used as production base in considering Crop Insurance from five years to fifteen because of drouth.

Received from Senate, read and adopted, 107.

Returned to the Senate, 112.

Received from Senate for signing, 139.

Speaker signs and returns to Senate, 139.

SENATE CONCURRENT RESOLUTION "G"—(Thatcher)

Defining the official language of North America as "American."

Sent to the House, 657.

Read and indefinitely postponed, 723.

Returned to the Senate, indefinitely postponed, 745.

SENATE CONCURRENT RESOLUTION "H"

Proposing Constitutional Amendment permitting consolidation of county offices of Register of Deeds, etc.

Came to House, 930.

Read, referred, 1098.

Reported back, amended, 1464.

General Orders, 1525.

Second reading, 1716.

Returned to Senate, amended, 1736.

Other action, 1879, 1987, 1954.

Final action, 1952.

Came to House for signing, 2056.

Speaker signed, 2062.

Returned signed, 2157.

SENATE CONCURRENT RESOLUTION "J"

Urging our Congressional delegation to vote against repeal of long and short haul clause in Interstate Commerce Act.

Came to House, 385.

Read, referred, 392.

Reported back, do pass, 407.

Motion to adopt, prevailed, 460.

Other action, 491, 492, 753.

Returned to Senate, 814.

Recalled from Senate, 875.

Senate returned, 879.

Returned to Senate following two requests for same, 1008.

Came for signing, 1137.

Speaker signed, 1158.

Returned signed, 1192.

SENATE CONCURRENT RESOLUTION "L"

Came to House, 590.

Read, referred, 610.

Reported back, do pass, 997.  
Second reading, 1422, failed of passage.  
Returned to Senate, indefinitely postponed.

## SENATE CONCURRENT RESOLUTION "M"

Came to House, 484.  
Read, referred, 486.  
Reported back, indefinitely postponed, 591.  
Returned to Senate, indefinitely postponed, 648.

## SENATE CONCURRENT RESOLUTION "O"

Came to House, read and referred, 1098.  
Reported back, do pass, 1625.  
Returned, passed unchanged, 1682.  
Came from Senate for signing, 1842.  
Speaker signed, 1869.  
Returned to Senate, signed, 1926.

## SENATE CONCURRENT RESOLUTION "P"

Came to House, 930.  
Real, referred, 1098.  
Reported back, do pass, 1552.  
Second reading, 1727.  
Returned to Senate, unchanged, 1838.  
Came to House for signing, 1946.  
Speaker signed, 1981.

## SENATE CONCURRENT RESOLUTION "Q"

Indefinitely postponed in House.

## SENATE CONCURRENT RESOLUTION "T"

Came to House, 1424.  
Real, printed, adopted, 1479.  
Returned to Senate, 1533.  
Came to House for signing, 1679.  
Speaker signed, 1708.  
Returned to Senate, signed, 1731.

## SENATE CONCURRENT RESOLUTION "U"

Came from Senate, 1437.  
Read, printed, adopted, 1480.  
Returned to Senate, 1533.  
Sent to House for signature, 1607.  
Speaker signed, 1708.  
Returned to Senate, signed, 1731.

## SENATE CONCURRENT RESOLUTION "W"

Came to House, 1679.  
Read, printed, adopted, 1691.

## SENATE CONCURRENT RESOLUTION "X"

Came to House, 1741.  
Read, 1855.  
Other action, 1763.  
Returned to Senate, indefinitely postponed, 1880.

## SENATE CONCURRENT RESOLUTION "Y"

Came to House, 1741.  
Read and adopted, 1764.  
Returned to Senate, unchanged, 1838.  
Came to House for signing, 1946.  
Speaker signed, 1981.  
Returned to Senate, signed, 1986.

## SENATE CONCURRENT RESOLUTION "A-1"

Came from Senate, 1901.  
Read and adopted, 1904.  
Sent to Senate, 1904.  
Came to House for signing, 1945.  
Speaker signed, 1980.  
Returned to Senate, signed, 1986.

## SENATE CONCURRENT RESOLUTION "A-3"

Came to House, 1901.  
Read and adopted, 1904.  
Returned to Senate, 1904.  
Came to House for signing, 2042.  
Speaker signed, 2047.  
Returned to Senate, signed, 2063.

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