STATE OF NORTH DAKOTA

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JOURNAL OF THE SENATE

of the

Twenty-sixth Legislative Assembly

JANUARY 3rd to MARCH 3rd, INCLUSIVE

STATE CAPITOL BISMARCK, NORTH DAKOTA

> JACK A. PATTERSON, Lieutenant Governor

WM. WATT, President Pro Tempore

> WM. J. LOWE, Secretary

> > DISMARCK TRIBUNE

SENATE MEMBERS

)ist.	County	Name	Address.
1.	Pembina	Thomas Whelan	St. Thomas
2.	Pt. Ward	Walter Troxel	Berthold
3.	Pt. Walsh		
4.	Pt. Walsh	Rilie R. Morgan	Grafton
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Nick N Nolson	Emorodo
7.	Pt. Grand Forks	I D Duidaton	Crond Fork
	The ill	J. D. Bridston	Grand Forks
8.	Traill	Henry Leum	Mayville
9.	Pt. Cass	.Arthur W. Fowler.	Fargo
0.	Pt. Cass	Frank H. Beaton	Fargo
1.	Pt. Cass	Wm. Watt	Leonard
2.	Pt. Richland Sargent	Wm. J. Braun	Wahpeton
3.	Sargent	A. N. Lavik	Milnor
4.	Ransom	J. L. Flatt	Sheldon
5.	Pt. Barnes	Fred J Fredrickson	Valley City
6.	Griggs-Steele	.C. P. Dahl	Jessie
7.	Nelson	C. S. Aasen	Aneta
8.	Cavalier	Ed A Hill	Wales
9.	Rolette	H G Guenther	Rolla
0.	Benson	Gust Tweten	Oheron
1.	Ramsey	G F Drow	Dowils Loke
2.	Towner	P W Lowles	Deviis Lake
3.	Stutsman	Bon Cilhonteen	Tamatando
4.	Je Messee		Jamestown
	LaMoure	M. R. Young	Berlin
5.	Dickey	E. Magoffin	Monango
6.	Emmons	.E. H. Brant	Linton
7.	Burleigh	"James W. Guthrie	Bismarck
8.	Bottineau	Wm. A. Thatcher	Bottineau
9.	Pt. Ward	J. C. Blaisdell, Jr	Minot
0.	Morton Stark	Philip W. Blank	Mandan
1.	Stark	M. J. Raschko	Dickinson
2.	Eddy-Foster	Otto Topp	Grace City
3.	Wells	R. M. Streibel	Fessenden
4.	McHenry	Martin Olson	Butte
5.	Kidder-Sheridan	C. C. Morrison	Steele
	McIntosh-Logan	Robert Greiser	Wishek
7.	Pt. Richland	Andrew Skarvold	Christing
	Pt. Barnes		
	Billings, Bowman,	itu Aanuani	Littenville
	Golden Valley and		
	Slope	Cust Was	D-14: 11
	Durla Dirid	B A Onitant	Beineld
0.	Burke-Divide McKenzie		Lignite
	McKenzie		Schafer
2.	Pierce	.F. T. Gronvold	Rugby
3.	Renville	W. J. Trout	Sherwood
	Mountrail	Axel Olson	Parshall
5 .	Williams	Kristian Holl	Wildrose
5.	McLean Grant-Sioux	.E. C. Stucke	Garrison
7.	Grant-Sioux	William Kamrath	Leith
3.	Mercer, Oliver and		
	Dunn	Gottlieb Isaak	Dodge
).	Adams-Hettinger	Herman Thorson	Buevrue
	A AMARINA ALCOVING CI		

HOUSE MEMBERS

Dist	t. County Pembina	Name	Address
1.	Pembina	A. Dalzell	Walhalla
		F. Page	Hamilton
1.00	and the second second	E. Symington	
2.	Pt. Ward	J. M. Joiner	Berthold
3.	Pt. Walsh	Palmer Levin	Park River
4.	Pt. Walsh	Donald K. Dike	Grafton
5.	Pt. Grand Forks	K. L. Boulden	Larimore
6.	Pt. Grand Forks		
7.	Pt. Grand Forks		
8.	Traill		
0.		L. C. Odegard Alva Wambheim	Buxton
9.	Pt. Cass	A. R. Bergesen	Fargo
		K. A. Fitch	Fargo
		Arthur C. Johnson	1Fargo
		W. H. Shure	Fargo
	-	L. L. Twichell	Fargo
10.	Pt. Cass	Theodore G. Buch	holzDurbin
	D: 0	Otis Nelson	Mapleton
11.	Pt. Cass	Wesley L. Bolmeie	rErie
10	Pt. Richland	Carl H. Dittmer	Leonard
12.	Pt. Richland	J. D. Holthusen	Tyler
10	a .	H. C. Mittag	
13.	Sargent	Mal Gainor	Delamora
	P	Mar Gamor	DeLamere
14.	Ransom	H. G. Severson	Englevale
15.	Pt. Barnes	S. Oglashy	Wimbledon
16.	Griggs-Steele	Diam Euglastad	Cooperatown
10.	Griggs-Steele	Steven C. Nelson W. L. Thompson	Finley
17.	Nelson	P K Holm	Pokin
		A. O. Arneson	McVille
18.	Cavalier	W. M. Crockett	Wales
		Mandus Hultstran	dMilton
		Peter Moe	Osnabrock
19.	Rolette		
		Jacob Urschel	
20.	Benson		
		C. H. HofstrandC	
21.	Ramsey		
		E. A. Lunde	
		Harry Stormon	
22.	Towner		
		Lester Keller	Bisbee
23.	Stutsman		
		Frank Fletcher	
		P. G. Westby	
		Henry Williams	Jamestown

Dist		Name	Address
24.		Algot Johnson Elliott T. Knutsor	1LaMoure
25.	Dickey	Carl Nelson W. R. Singleton	Oakes Oakes
26.	Emmons	Joseph Glas Anton Larson	Linton Temvik
27.	Burieigh	Joseph Byrne Walter E. Sellens J. M. Thompson	Bismarck
28.	Bottineau	W. E. Bingenheim Duncan Fraser Peter Peterson	Omemee
29.	Pt. Ward	A. W. Benno. Brynhild Haugland H. A. Kluver. E. C. Stone.	dMinot Minot
30.	Morton	Robert T. Gray Gus A. Schauss Richard E. Wolf	Mandan
31.	Stark	George P. Braun E. D. Culver Ignatz Sticka*	Dickinson
32.	Eddy-Foster	A. H. Nystrom A. I. Sharpe	Sheyenne Glenfield
33.	Wells	Leonas Myers Calvin Schimke	Bowdon Harvey
34.	McHenry	L. W. Belzer Andrew Halvorson Fred T. Schmidt	Balfour.Upham
35.	Kidder-Sheridan	John J. Adam John A. Schmidt	Anamoose McClusky
36.	McIntosh-Logan	John Billigmeier Ed Haag C. P. Ritter	Fredonia
37.	Pt. Richland	Mrs. Geo. Ista H. C. Williams	
38.	Pt. Barnes	John N. McIntyre.	
39.	Billings, Bowman, Golden Valley and		
	Slope	H. W. Brown L. K. Morland Robert Rotering*	Scranton
40.	Burke-Divide	J. H. Heckman Ed McIntee Robert Rait	Northgate
41.		Bernt Anderson Oscar W. Hagen	
42.		Wm. H. Tuff	Balta Barton
43.		Olaf Ostgulen	
44.		Joseph N. Mollet Theodore O. Rohde	Powers Lake

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Dist	t. County	Name	Address
45.	Williams	Carl Erickson William Ireland Iver Solberg	Springbrook Corinth
46.	McLean	Fred Braun. George H. Lange R. R. Scholl	Turtle Lake
47.	Grant-Sioux	Ralph G. Beede Dan PankoM	
48.	Mercer, Oliver and Dunn		Hazen Beulah
49.	Adams-Hettinger	Geo. Schwartz S. K. Skartvedt	

*Deceased.

Officers and Employees

Title	Name
Lieutenant Governor	
President Pro Tempore	
Secretary of Senate	William J. Lowe
Assistant Secretary of Senate	A. Z. Nelson
Assistant Secretary of Senate	Phil Poppler
Desk Reporter	Ruth Smith
Bill Clerk	
Stenographer	Pearl Shaw
Stenographer	
Stenographer	
Stenographer	
Stenographer	
Stenographer	Mongonat Vraning
Stenographer	Margaret Kraning
Stenographer	Frances Rudel
Stenographer	
Stenographer	
Stenographer	Helen Steinmetz
Clerk, State Affairs	Eleanor Ahlstrom
Clerk, Judiciary	
Clerk, Appropriations	Emil Helberg
Clerk, Taxes and Tax Laws	
Enrolling and Engrossing Clerk	Eva Goetz
Asst. Enrolling and Engrossing Clerk	B. Dorthea Tabbert
Sergeant-at-Arms	Emil Strand
Assistant Sergeant-at-Arms	Ioe Fettig
Proofreader	Henry Anderberg
Proofreader	Henry Anderberg
Proofreader Assistant Proofreader	Henry Anderberg Bruce Nelson
Proofreader Assistant Proofreader Postmaster	Henry Anderberg Bruce Nelson Nels Johnson
Proofreader Assistant Proofreader Postmaster Telephone Clerk	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom
Proofreader. Assistant Proofreader. Postmaster. Telephone Clerk. Press Room Messenger. Page.	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page	Henry Anderberg Bruce Nelson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn
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Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Page Bill Room Clerk	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll
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Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething
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Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Night Watchman	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Night Watchman Janitor	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler Robert Wage
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Night Watchman Janitor	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler Robert Wage Gilbert Lee
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Night Watchman Janitor Janitor Cloak Room Attendant	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler Robert Wage Gilbert Lee E. W. Willoughby
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Janitor Janitor Cloak Room Attendant Chief Mail Room Clerk	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler Robert Wage Gilbert Lee E. W. Willoughby S. B. Salverson
Proofreader Assistant Proofreader Postmaster Telephone Clerk Press Room Messenger Page Page Page Page Bill Room Clerk Assistant Bill Room Clerk Doorkeeper Doorkeeper Doorkeeper Doorkeeper Chart Clerk House Messenger Janitor Night Watchman Janitor Janitor Cloak Room Attendant	Henry Anderberg Bruce Nelson Nels Johnson O. J. Harris C. S. Tornbom Clarence Anderson Vernon Otis John Koehn Lloyd Olson J. C. Goll I. M. Hanson Edwin M. Nething Charles Walby T. O. Thompson F. J. Wanner Harold Burau George Schlafmann Theodore Heinle Elmo B. Ressler Robert Wage Gilbert Lee E. W. Willoughby S. B. Salverson George Gehringer

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ERRATA SHEET

Page 234, change Senator Bilden's explanation of vote to read "no" instead of "aye."

Page 319, insert S.C.R. 148 messaged to the House, Feb. 11th, 1939 after S.B. 120.

Page 252, line 20 from the bottom, change the word "passed" to "lost."

Page 830, first line should read "Absent and not voting."

Page 842, after the message to the House on SB 232 and the secretary's signature, add a new paragraph as follows: "Senator Fowler moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 40, which motion prevailed.

"And the President appointed as such committee: Senators, Fowler, Guthrie and Thatcher."

Page 880, after SB No. 181, add a paragraph as follows: "The Secretary announced that the President was about to sign:

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

"And the President signed the same in the presence of the Senate."

Page 886, line seven, after the word "do", insert the word "not."

Page 912, line 11, change the figure "27" to "277."

Page 964, line 7 from the bottom should be House Bill No. 61, instead of Senate Bill No. 61.

Page 1037, line 37, change the word "Guthrie" to "Guenther."

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Buy "Dakota Maid" Flour

Journal of the Senate



Twenty-sixth Legislative Assembly

FIRST DAY

Senate Chamber, Bismarck, North Dakota, January 3, 1939

At the hour of twelve o'clock on the third day of January, 1939, it being the day and hour designated by the Constitution for convening the legislative Assembly of the State of North Dakota, the hold-over members and members elected to the Senate of the Twenty-sixth Legislative Assembly assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, and were called to order by Thomas McDonald, Secretary of the Twenty-fifth Legislative Assembly of the State of North Dakota.

Senator Blaisdell of Ward moves that the presiding officer appoint a committee of three to escort the lieutenant governor to the rostrum, to be sworn in as president of the Senate.

Which motion prevailed.

The Secretary appointed as such committee Senators Blaisdell, Brant and Flatt.

The following communication was received from the Secretary of State.

DEPARTMENT OF STATE Bismarck, North Dakota

January 3, 1939

Secretary of the Senate, Twenty-sixth 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 Senate of the Twenty-sixth Legislative Assembly of the State of North Dakota:

Dist	t. County	Name	.Address
1.	Pembina	Thomas Whelan	St. Thomas
2.	Pt Ward	Walter Troxel	Berthold
3.	Pt Walsh	Ed Lian	Fairdala
	Dt Walsh	Dillo D Monora	Croften
4.		Rilie R. Morgan	
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Nick N. Nelson	Emerado
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
8.	Traill	Henry Leum	Mayville
9.	Pt. Cass	Arthur W. Fowler	Fargo
10.	Pt. Cass	Frank H. Beaton.	Fargo
11.	Pt. Cass		Leonard
12.	Pt Richland	Wm. J. Braun	Wahneton
13.	Sargent	A. N. Lavik	Milnor
14.	Ransom	J. L. Flatt	Sheldon
15.	Dt Bornog	Fred J. Fredrickso	n Valloy City
16.	Crimma Stoole	C. P. Dahl	Jacobia Logolo
	Malaan	C. S. Aasen	Anata
17.	Nelson		Aneta
18.	Cavaller	Ed. A. Hill	
19.	Rolette	H. G. Guenther	Rolla
20.		Gust Tweten	
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	B. W. Lemke	Cando
23.	Stutsman	Ben Gilbertson	Jamestown
24.	LaMoure	M. R. Young	Berlin
25.	Dickey	E. Magoffin	Monango
26.	Emmons	E. H. Brant	Linton
27.	Burleigh	James W. Guthrie	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Pt. Ward	J. C. Blaisdell, Jr	Minot
30.	Morton	Philip W. Blank	Mandan
31.	Stark	M. J. Raschko	Dickinson
32.	Eddy-Foster	Otto Topp	Graco City
33.	Wolls		Econordon
34.	Mellonar		Fessenden
35.	Viddon Shouidan	C. C. Morrison	
36.	Meintosn-Logan	Robert Greiser	wisnek
37.	Pt. Richland	Andrew Skarvold.	Christine
38.		Fred Aandahl	Litchville
39.	Billings, Bowman,		
	Golden Valley and	and the second second	and the second second
	Slope	Gust Wog	Belfield
40.	Burke-Divide	R. A. Owings	Lignite
41.	McKenzie	Hialmar Nelson	Schafer
42.	Pierce	F. T. Gronvold	Rugby
43.	Renville	W. J. Trout	Sherwood
44.	Mountrail	Axel Olson	Parshall
45.	Williams	Kristian Holl	Wildrose
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	William Kamrath	Leith
48.	Mercer, Oliver and	to manne in a contraction	
40.	Dunn	Gottlieb Isaak	Dodge
49.	Adama Hettinger	Herman Thorson.	Buovrus
49.	Adams-nettinger	inerman inorson.	

In Witness Whereof, I have hereunto set my hand and

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affixed the Great Seal of the State of North Dakota, this 3rd day of January, A. D., 1939.

JAMES D. GRONNA, Secretary of State.

(SEAL)

DEPARTMENT OF STATE Bismarck, North Dakota

LIST OF HOLD-OVER SENATORS

1. Pembina Thomas Whelan St. Thomas 3. Pt. Walsh Ed Lian Fairdale 5. Pt. Grand Forks Oliver Bilden Northwood 9. Pt. Cass Arthur W. Fowler Fargo 11. Pt. Cass Wm. Watt Leonard 13. Sargent A. N. Lavik Milnor 15. Pt. Barnes Fred J. Fredrickson.Valley City 17. Nelson C. S. Aasen Aneta 19. Rolette H. G. Guenther Rolla 21. Ramsey G. F. Drew Devils Lake		Address	Name	County	Dist.
3. Pt. Walsh Ed Lian Fairdale 5. Pt. Grand Forks Oliver Bilden Northwood 9. Pt. Cass Arthur W. Fowler Fargo 11. Pt. Cass Wm. Watt Leonard 13. Sargent A. N. Lavik Milnor 15. Pt. Barnes Fred J. Fredrickson.Valley City 17. Nelson C. S. Aasen Aneta 19. Rolette H. G. Guenther Rolla	5	St. Thomas	Thomas Whelan	Pembina	1.
5. Pt. Grand ForksOliver BildenNorthwood 9. Pt. CassArthur W. Fowler Fargo 11. Pt. CassWm. Watt Leonard 13. SargentA. N. Lavik Milnor 15. Pt. BarnesFred J. Fredrickson.Valley City 17. NelsonC. S. Aasen Aneta 19. RoletteRolla		Fairdale	Ed Lian	Pt. Walsh	3.
11. Pt. Cass Wm. Watt Leonard 13. Sargent A. N. Lavik Milnor 15. Pt. Barnes Fred J. Fredrickson.Valley City 17. Nelson C. S. Aasen Aneta 19. Rolette H. G. Guenther Rolla					
11. Pt. Cass Wm. Watt Leonard 13. Sargent A. N. Lavik Milnor 15. Pt. Barnes Fred J. Fredrickson.Valley City 17. Nelson C. S. Aasen Aneta 19. Rolette H. G. Guenther Rolla	,	rFargo	Arthur W. Fowler.	Pt. Cass	9.
15. Pt. Barnes Fred J. Fredrickson. Valley City 17. Nelson C. S. Aasen 19. Rolette H. G. Guenther		Leonard		Pt. Cass	11.
15. Pt. Barnes Fred J. Fredrickson. Valley City 17. Nelson C. S. Aasen 19. Rolette H. G. Guenther		Milnor	A. N. Lavik	Sargent	13.
17. NelsonC. S. Aasen Aneta 19. RoletteH. G. Guenther		onValley City	Fred J. Fredrickson	Pt. Barnes	15.
19. Rolette					
21 Ramsey C.F. Drew Devile Lake		Rolla	H. G. Guenther	Rolette	19.
21. RamseyDevils Lake	•	Devils Lake	G. F. Drew	Ramsey	21.
23. StutsmanBen GilbertsonJamestown	1	Jamestown	Ben Gilbertson	Stutsman	23.
25. Dickey					25.
27. BurleighJames W. GuthrieBismarck					27.
29. Pt. WardJ. C. Blaisdell, JrMinot					29.
33. Wells	ŀ	Fessenden	R. M. Streibel	Wells	33.
35. Kidder-SheridanC. C. MorrisonSteele					35.
37. Pt. Richland					37.
39. Billings, Bowman,				· 그는 그 같은 아이에서 이렇게 가지 않는 것이 있는 것이 가지 않는 것이 하는 것이 있다.	39.
Golden Valley and				Golden Valley and	
SlopeGust WogBelfield	17	Belfield	Gust Wog	Slope	
43. Renville	Í.	Sherwood	W. J. Trout	Renville	43.
47. Grant-Sioux	1	Leith	William Kamrath.	Grant-Sioux	

DEPARTMENT OF STATE

Bismarck, North Dakota

LIST OF SENATORS-ELECT

Dist	. County	Name	Address
		Walter Troxel	
4.	Pt. Walsh	Rilie R. Morgan	Grafton
6.	Pt. Grand Forks	Nick N. Nelson	Emerado
7.		J. B. Bridston*	
8.	Traill	Henry Leum	Mayville
10.	Pt. Cass	Frank H. Beaton	Fargo
12.	Pt. Richland	Wm. J. Braun	Wahpeton
14.	Ransom	J. L. Flatt	Sheldon
16.	Griggs-Steele	C. P. Dahl	Jessie
18.		Ed. A. Hill	
20.		Gust Tweten	
22.		B. W. Lemke	
24.	LaMoure	M. R. Young	Berlin
26.	Emmons	E. H. Brant	Linton
28.	Bottineau	Wm. A. Thatcher	Bottineau
30.		Philip W. Blank	
31.		M. J. Raschko*	
32.	Eddy-Foster	Otto Topp	Grace City

v

Dist.	County	Name	Address
34.	McHenry	Martin Olson	Butte
36.	McIntosh-Logan	Robert Greiser	Wishek
38.	Pt. Barnes	Fred Aandahl	Litchville
40.	Burke-Divide	R. A. Owings	Lignite
41.	McKenzie	Hjalmar Nelson*	Schafer
42.	Pierce	F. T. Gronvold	Rugby
		Axel Olson	
45.	Williams	Kristian Holl*	Wildrose
46.	McLean	E. C. Stucke	Garrison
48.	Mercer, Oliver and		
	Dunn	Gottlieb Isaak	Dodge

* Unexpired Terms

Senator Trout moves that the presiding officer appoint a committee of three to escort the Honorable W. L. Nuessle, Chief Justice of the Supreme Court of the State of North Dakota, to the rostrum for the purpose of administering the oath of office to the Lieutenant Governor and to the newly elected members of the Senate of the State of North Dakota.

Which motion prevailed.

The Secretary appointed as such committee: Senators Guthrie, Fredrickson, Leum.

Chief Justice Nuessle administered the oath of office to Lieutenant-Governor Jack A. Patterson.

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

Chief Justice Nuessle administered the oath of office to all Senators-elect and requested them to subscribe to the oath of office.

ROLL CALL

Senators present were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		0

The following communication was received from the Secretary of State.

DEPARTMENT OF STATE Bismarck, North Dakota

December 30, 1938

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

Dear Sir:

Please be advised that there is on file with this department, under the dates listed, the following instruments in connection with Legislative Contests:

Thirty-eighth Legislative District

vs.

James G. Thoreson, Contestant

Fred G. Aandahl, Contestee

Affidavit of Service and Notice of Contest filed December 16, 1938; also, Sheriff's Return, Affidavit of Mailing, and Answer of Contestee filed December 24, 1938.

These instruments will remain on file in this department subject to orders of the Senate.

Yours very truly,

JAMES D. GRONNA, Secretary of State.

Senator Troxel moves the nomination of Wm. J. Lowe of Ward county for Secretary of the Senate.

Which motion prevailed.

ROLL CALL

The question being on the election of Wm. J. Lowe as Secretary of the Senate, the roll was called and there were ayes, 49; nays, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrai
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So Wm. J. Lowe was elected Secretary of the Senate.

The President administered the oath of office to Wm. J. Lowe.

Senator Blank moved that a vote of thanks be extended to Thomas McDonald for his services as secretary of the Senate of the Twenty-fifth Legislative Assembly, and allowed mileage and per diem for one day.

Which motion prevailed.

ROLL CALL

The question being on vote of thanks to Thomas McDonald and allowing mileage and per diem for one day, the roll was called and there were 49 ayes.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

Senator Guthrie moved the nomination of Ruth Smith of Burleigh County as Desk Reporter.

Which motion prevailed.

ROLL CALL

The question being on the election of Ruth Smith as Desk Reporter, the roll was called and there were ayes, 49; nays, 0. Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout

Messrs.	Messrs.	Messrs.
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	. Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So Ruth Smith was elected Desk Reporter.

The President administered the oath of office to Ruth Smith.

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

Which motion prevailed.

ROLL CALL

The question being on the election of Emil Strand as Sergeant-at-Arms of the Senate, the roll was called and there were ayes, 49; nays, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks	
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So Emil Strand was elected Sergeant-at-Arms.

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

Which motion prevailed.

The President appointed as such committee Senators Isaac, Blaisdell and Whelan.

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

The President appointed as such committee Senators Watt, Topp and Morgan.

Senator Owings moved that the President of the Senate appoint a temporary committee of three on the Revision and Correction of the Journal.

Which motion prevailed.

The President appointed as such committee Senators Owings, Gilbertson and Morrison.

Senator Gilbertson moved that the President of the Senate appoint a committee of three to make necessary arrangements for Senate committee rooms.

Which motion prevailed.

The President appointed as such committee Senators Gilbertson, Raschko and Lavik.

Senator Fowler moved that the President of the Senate appoint a committee of four to act with the President of the Senate as a Committee on Committees.

Which motion prevailed.

The President appointed as such committee Senators Fowler, Wog, Guthrie and Owings.

Senator Trout moved that the President appoint a committee of three to act with a like committee from the House for the purpose of arranging for a joint session of the two houses.

Which motion prevailed.

The President appointed on such committee Senators Trout, Bilden and Whelan.

Senator Whelan moved that the Senate appoint a committee of five to serve as a Committee on Employment.

Which motion prevailed.

The President appointed as such committee Senators Whelan, Nelson, Trout, Flatt and Kamrath.

Senator Morgan moved that the rules of the Twenty-fifth Legislative Session with the exception of Rule 16, be adopted as the temporary rules of the Twenty-sixth Legislative Session, and that Rule 16 of the Twenty-fifth Legislative Session be amended as follows: In line 2; strike out the word "seven" and insert in lieu thereof the word "five".

Senator Morgan:

"I now move that Rule 16 as amended be made a part of the temporary rules of this Senate."

Which motion prevailed.

Senator Grieser moved that a committee of three be ap-

pointed by the President of the Senate to confer with the Board of Administration relative to making arrangements for necessary stationery and supplies for the Twenty-sixth session of the Senate.

Which motion prevailed.

The President appointed as such committee: Senators Grieser, Morgan, Blaisdell.

Senator Nelson of McKenzie county moved that the President of the Senate appoint a committee of three to prepare a suitable resolution relative to the death of Senator John Brostuen.

Which motion prevailed.

The President appointed as such committee: Senators Nelson of McKenzie County, Watt and Fowler.

Senator Bridston moved that the President of the Senate appoint a committee of three to prepare a suitable resolution relative to the death of Senator John Hulteng.

Which motion prevailed.

The President appointed as such committee: Senators Bridston, Nelson of Grand Forks and Young.

Senator Thatcher:

"I believe that we have settled down enough by now; and the nerves of our presiding officer are now steady enough, that we should like to have a talk from him at this time."

Lieutenant-Governor Patterson:

"I am glad the Senator feels that my nerves are steadied down some because I have my doubts, every once in a while whether they are or not.

"We know we are here on important business. Every one of us knew that when we went into the election we just came thru. I say that we knew when we went into the election, but I think since the election and during the election it was forcibly impressed on us that we had a greater job ahead of us than we anticipated at the start of the campaign. I believe that each and every one is here with a sincere desire and effort to do his, or her very best for the benefit of the people of our state. Tomorrow we are going to hear messages from the retiring governor-we are going to hear a message from the incoming governor and I know that these two honorable gentlemen will have so much to say to you and put it more concisely to you than I can, therefore I am not going to take a great deal of time in telling what I think we should do because I believe every one of us realize that. But I would three outstanding questions. I might say they are the paramount questions that we have to take into consideration. We have to take into consideration the financial condition of our state. We have to take into consideration our taxes and taxaJOURNAL OF THE SENATE

tion. And last but not least we have got to give some very, very serious consideration to the welfare problem of the people of our state. When we refer to the welfare problem I am sure that you all understand that that means just what it says, and that covers not only the general relief of the state but the Old Age Assistance; Assistance to Dependent Children and Aid to Crippled Children and the Blind. Those are all covered in the general welfare of the state and I would just like to mention at this time (and when we have our further meeting I will ask it again, or suggest it rather) that this Senate in addition to the Standing Committees we have, that we set up a permanent committee on Public Welfare. As I have mentioned before, there are so many things we have got to contend with, that I believe that this question merits a special committee, and in conclusion, I wish to say that I am very happy to advise the Senate, along with the spectators that are here, that I have attended two national conventions of the American Welfare Association, exchanged ideas with the various states in the Union (practically all of them) and it made us feel very good (Senator Morgan was present at one meeting) when people from other states told us what a fine welfare set-up we had and I am sure Mr. Morgan will bear me out, that our set-up has less chance of politics creeping in to relief than any other state and I assure you, and I am sure that everyone here would have been just as happy as Senator Morgan and I were when that information was imparted to us.

"I thank you for giving me these few minutes and I want to say in addition that I want to assist in any way whatsoever. I will be only too glad to do it and if I am not able to assist myself, perhaps I can find someone else to assist you in some of the work we are going to have to put out during this session. I thank you."

Senator Stucke:

"I move that we recess for ten minutes for the purpose of selection of seats, and that the new members remove all papers and personal effects from the desks they now occupy and retire from the floor while the old members are selecting their seats."

Which motion prevailed.

ROLL CALL

The question being on Senator Stucke's motion, the roll was called and there were ayes, 49; nays, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher

TUESDAY, JANUARY 3, 1939

Messrs.	Messrs.	Messrs.
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		0

Senator Lemke moved that the President of the Senate appoint a committee of three to act with a like committee from the House for the purpose of conferring with the Board of Administration and the Northwestern Bell Telephone Company with regard to the advisability of retaining the present switch-board system now installed in the House and Senate committee rooms.

Which motion prevailed.

The President appointed as such committee: Senators Lemke, Thorson, Hill.

Senator Watt reported that the committee appointed to notify the House that the Senate was organized and ready for business has performed its duties and asks to be discharged.

Which request was granted.

Senator Isaac reported that the committee appointed to notify the Governor that the Senate was organized and ready to receive his messages had performed their duty and asks to be discharged.

Which request was granted.

Senator Blaisdell moved that the Senate recess until 1:00 P. M. January 4th.

Which motion prevailed and the Senate stood recessed.

WM. J. LOWE, Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Senate Chamber, Bismarck, North Dakota, January 4, 1939.

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

Senator Whelan moved the nomination of Helen Steuart as Bill Clerk.

ROLL CALL

The question being on the election of Helen Steuart as Bill Clerk, the roll was called and there were ayes, 49; nays, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So Helen Steuart was declared elected as Bill Clerk.

Senator Whelan moved the nomination of the following employes:

Helen A. Steinmetz, Stenographer.

S. B. Salverson, Chief Mailing Clerk for the Senate.

Vernice Wolff, Stenographer.

Harold Burau, Bill Room Clerk.

J. C. Goll, Messenger.

Pearl Shaw, Stenographer.

Theodore Thompson, Assistant Mail Clerk.

June Baribeau, Stenographer.

Henry Anderberg, Senate Proofreader.

Chas. Walby, Doorkeeper.

George Gehringer, Doorkeeper.

O. J. Harris, Telephone Clerk.

I. M. Hanson, Doorkeeper.

Clarence Anderson, Page.

Vernon Otis, Page.

Gilbert Lee, Janitor.

Joe Fettig, Assistant Sergeant-at-Arms.

Bruce Nelson, Assistant Proofreader.

Eva Goetz, Enrolling and Engrossing Clerk.

John Koehn, Page.

Nels Johnson, Postmaster.

Lloyd Olson, Page.

George Schlafmann, House Messenger.

Louise Chase, Stenographer.

E. W. Willoughby, Governor's Messenger.

T. O. Thompson, Doorkeeper.

Margaret Kraning, Stenographer.

Robert Wage, Janitor.

Lou Carlson, Stenographer.

ROLL CALL

The question being on the election of Employes, the roll was called and there were ayes, 49; nays, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	' Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold

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Messrs.	Messrs.	Messrs.
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So the following employes were declared employed as follows:

Helen A. Steinmetz, Stenographer.

S. B. Salverson, Chief Mailing Clerk for the Senate.

Vernice Wolff, Stenographer.

Harold Burau, Bill Room Clerk.

J. C. Goll, Messenger.

Pearl Shaw, Stenographer.

Theodore Thompson, Assistant Mail Clerk.

June Baribeau, Stenographer.

Henry Anderberg, Senate Proofreader.

Chas. Walby, Doorkeeper.

George Gehringer, Doorkeeper.

George Schlofmann, Messenger to House.

O. J.' Harris, Telephone Clerk.

I. M. Hanson, Doorkeeper.

Clarence Anderson, Page.

Vernon Otis, Page.

Gilbert Lee, Janitor.

Joe Fettig, Assistant Sergeant-at-Arms.

Bruce Nelson, Assistant Proofreader.

Eva Goetz, Enrolling and Engrossing Clerk.

John Koehn, Page.

Nels Johnson, Postmaster.

Lloyd Olson, Page.

Louise Chase, Stenographer.

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E. W. Willoughby, Governor's Messenger.

T. O. Thompson, Doorkeeper.

Margaret Kraning, Stenographer.

Robert Wage, Janitor.

Lou Carlson, Stenographer.

Senator Morrison moved that a committee of three be appointed by the President to confer with a like committee from the House on the form of the journal and daily calendar; on the number of daily journals, calendars and bills to be printed; and on other matters relating to legislative printing. And that a copy of this motion be messaged to the House with a request that such a committee be appointed by the House.

Which motion prevailed.

The President appointed as such committee Senators Morrison, Morgan, Greiser.

Senator Fowler requested that the Senate return to the sixth order of business.

Which request was granted.

REPORT OF SELECT COMMITTEES

Mr. President:

Your select Committee on Committees beg leave to report as follows:

That the following named standing committee shall be comprised of the following named senators, to-wit:

Mileage and Per Diem: Watt (Chairman), Morrison and Blaisdell.

Respectfully submitted,

JACK A. PATTERSON, Lt. Gov. A. W. FOWLER, GUST WOG, JAMES GUTHRIE, R. A. OWINGS.

Senator Fowler moved the adoption of the report, which motion prevailed and the report was adopted.

Senator Thatcher moved that the Senate do now adjourn.

Which motion prevailed and the Senate stood adjourned.

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WM. J. LOWE, Secretary.

SECOND DAY

Senate Chamber, Bismarck, North Dakota, January 4, 1939.

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

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

Roll Call.

All Senators present.

Senator Owings reported that the committee on Revision and Correction of the Journal request that the following corrections be made:

On Page 1, line 15, after the date line, change the spelling of "Brandt" to "Brant".

On page seven, line 17, change the figures "48" to "49".

And when so amended ask that report be adopted.

Which report was adopted.

Senator Fowler moved that the Senate now adjourn in order that the Senators may attend the Joint Session of the House and Senate.

Which motion prevailed, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

THIRD DAY

Senate Chamber, Bismarck, North Dakota. January 5, 1939

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

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

Roll Call.

All Senators present except Lemke and Watt.

Senator Kamrath moved that the absent Senators be excused.

Which motion prevailed.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the First Day after Recess and Second Day, and have found the same correct.

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

The following communications were read by the Secretary of the Senate:

Minnewaukan, North Dakota January 3, 1939

Honorable Jack Patterson, Lieutenant Governor.

Benson County Board of County Commissioners urge immediate passage of law permitting service by registered mail instead of service by sheriff of all notices in tax deed proceedings in order to save expenses. Urge immediate action as service must be completed during January.

> BERT M. SALISBURY, County Auditor.

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

December 6, 1938

To Hon. J. A. Patterson, Lieut. Governor, Presiding Officer of the Senate, and to the Honorable Speaker of the House of Representatives:

Gentlemen:

Under Chapter 188 of the 1937 Session Laws I was requested, as Chairman of the New York World's Fair Commission, to make a report to the next Legislative Assembly.

In accordance with said Law, I had various conferences with those familiar with the finances of the State and we concluded that we should not spend money on taking any options upon any sites of the New York World's Fair grounds, the minimum being \$15,000.

As Governor I appointed Mrs. Dan Jones of Wahpeton, Mr. John Kelly of Fargo and Mrs. M. Moran of Devils Lake to serve with John N. Hagan, Commissioner of Agriculture and Labor; James D. Gronna, Secretary of State and myself as members of this commission. The Greater North Dakota Association has advised me that they are endeavoring to raise money for the fair.

It is my recommendation that North Dakota does not make any appropriation for participating in the fair. If the money can be raised from outside sources, well and good.

Respectfully,

WL:an

WILLIAM LANGER, Governor.

REPORT OF SELECT COMMITTEES

The select Committee on Committees made the following report:

Mr. President: Your select Committee on Committees does hereby report as follows:

That the following named Senators be selected and appointed to serve upon and to constitute the membership of the following named standing committees of the Senate:

AGRICULTURE AND LIVESTOCK: Thorson (chairman), Topp, Kamrath, Hill, Olson of Mountrail, Gilbertson, Lavik, Magoffin, Skarvold, Troxel, Olson of McHenry, Holl, Tweten, Beaton, Flatt.

APPROPRIATIONS: Watt (chairman), Young, Lemke, Stucke, Nelson of Grand Forks, Thorson, Gronvold, Topp, Brant, Thatcher, Guenther, Streibel, Aandahl, Leum, Blaisdell, Raschko, Braun. APPORTIONMENT: Kamrath (chairman), Wog, Beaton, Raschko, Nelson of McKenzie, Morgan, Stucke, Hill, Troxel, Braun, Blank, Fowler, Owings, Topp, Drew, Greiser, Leum, Whelan, Trout, Olson of Mountrail, Magoffin, Blaisdell, Bridston.

BANKS AND BANKING: Brant (chairman), Kamrath, Raschko, Thatcher, Nelson of Grand Forks, Lian, Stucke, Lavik, Magoffin, Whelan, Guenther, Fowler, Bilden, Greiser, Nelson of McKenzie.

CORPORATIONS: Blaisdell (chairman), Owings, Fredrickson, Streibel, Guenther, Bilden, Trout, Guthrie, Brant, Dahl, Lemke, Morgan, Leum, Braun, Isaak.

COUNTIES: Braun (chairman), Trout, Raschko, Magoffin, Blank, Wog, Lian.

EDUCATION: Whelan (chairman), Trout, Drew, Streibel, Guthrie, Aandahl, Skarvold, Owings, Lavik, Morgan, Braun.

ELECTIONS: Lemke (chairman), Thatcher, Topp, Gronvold, Nelson of McKenzie, Gilbertson, Guenther, Frederickson, Tweten.

ENROLLED AND ENGROSSED BILLS: Trout (chairman), Aasen, Bilden, Whelan, Aandahl.

FEDERAL RELATIONS: Lian (chairman), Magoffin, Morrison, Lavik, Olson of McHenry, Troxel, Isaak.

GAME AND FISH: Gilbertson (chairman), Young, Thorson, Guthrie, Trout, Morrison, Hill, Owings, Blank, Lian, Bridston.

HIGHWAYS: Wog (chairman), Blaisdell, Fowler, Stucke, Aasen, Bilden, Lian, Streibel, Braun, Isaak, Dahl.

IMMIGRATION AND STATISTICS: Olson of Mountrail (chairman), Guenther, Morrison, Brant, Isaak, Dahl, Bridston, Holl, Lian, Beaton, Magoffin.

INSURANCE: Fredrickson (chairman), Owings, Guthrie, Lemke, Wog, Morrison, Thatcher, Bridston, Blank, Gilbertson, Hill.

IRRIGATION AND DRAINAGE: Gronvold (chairman), Nelson of McKenzie, Nelson of Grand Forks, Thorson, Magoffin, Braun, Dahl, Troxel, Greiser.

JUDICIARY: Guthrie (chairman), Fowler, Stucke, Skarvold, Fredrickson, Whelan, Blaisdell, Thatcher, Leum, Gilbertson, Tweten, Bilden, Holl, Beaton, Topp, Flatt, Lian.

MILITARY AND INDIAN AFFAIRS: Flatt (chairman), Kamrath, Fredrickson, Blaisdell, Stucke, Braun, Bridston, Tweten, Blank.

MINES AND MINERALS: Owings (chairman), Thatcher, Olson of Mountrail, Raschko, Aasen, Lian, Dahl, Isaak, Holl.

PRINTING: Morrison (chairman), Morgan, Greiser.

PUBLIC HEALTH: Stucke (chairman), Gronvold, Leum, Drew, Thorson, Morgan, Kamrath, Lian, Olson of McHenry.

PUBLIC SAFETY: Skarvold (chairman), Gronvold, Lemke, Topp, Trout, Magoffin, Beaton, Flatt, Raschko.

PUBLIC LANDS: Topp (chairman), Kamrath, Magoffin, Morrison, Tweten, Dahl, Lemke.

PUBLIC PRINTING: Morrison (chairman), Morgan, Greiser, Thatcher, Lian, Beaton, Troxel.

PUBLIC WELFARE: Drew (chairman), Brant, Thorson, Morgan, Stucke, Fowler, Streibel, Guthrie, Whelan.

RAILROADS: Blank (chairman), Aasen, Gronvold, Streibel, Wog, Guthrie, Fowler, Olson of Mountrail, Gilbertson, Whelan, Magoffin, Olson of McHenry, Leum.

REVISION AND CORRECTION OF JOURNAL: Greiser (chairman), Morgan, Morrison.

RULES: Thatcher (chairman), Owings, Drew, Raschko, Skarvold.

STATE AFFAIRS: Young (chairman), Drew, Owings, Fowler, Nelson of Grand Forks, Wog, Whelan, Morrison, Olson of Mountrail, Lavik, Watt, Skarvold, Gilbertson, Greiser, Morgan, Bridston, Guenther.

TAXES AND TAX LAWS: Fowler (chairman), Wog, Kamrath, Drew, Whelan, Hill, Aandahl, Topp, Olson of Mountrail, Braun, Tweten, Trout, Young, Aasen, Blank.

TEMPERANCE: Nelson of Grand Forks (chairman), Kamrath, Guthrie, Fredrickson, Thorson, Topp, Lavik, Lemke, Blaisdell, Troxel, Dahl.

WAREHOUSE AND GRAIN GRADING: Lavik (chairman), Nelson of Grand Forks, Thorson, Watt, Hall, Whelan, Tweten, Beaton, Gilbertson, Braun, Drew.

WAYS AND MEANS: Hill (chairman), Morgan, Braun, Thorson, Lian, Flatt, Skarvold, Fredrickson, Gilbertson.

DELAYED BILLS: Guenther (chairman), Whelan, Owings, Blaisdell, Wog.

JOINT COMMITEES

PUBLIC BUILDINGS: Leum (chairman), Young, Kamrath, Guenther, Lian, Olson of McHenry, Nelson of McKenzie.

CHARITABLE INSTITUTIONS: Bridston (chairman), Streibel, Guenther, Morgan, Flatt, Isaak, Olson of Mountrail.

EDUCATIONAL INSTITUTIONS: Tweten (chairman), Braun, Drew, Morrison, Lavik, Magoffin, Troxel.

PENAL INSTITUTIONS: Isaak (chairman), Aasen, Young, Nelson of McKenzie, Dahl.

STATE LIBRARY: Magoffin (chairman), Beaton, Flatt, Dahl, Tweten, Isaak, Topp.

JOINT RULES: Aasen (chairman), Aandahl, Bilden, Olson of McHenry, Nelson of Grand Forks.

LABOR: Bilden (chairman), Gronvold, Guenther, Hill, Owings, Lemke, Raschko.

INSURANCE: Beaton (chairman), Fredrickson, Holl, Magoffin, Streibel.

Respectfully submitted, JACK A. PATTERSON, Lieutenant-Governor. GUST WOG JAMES GUTHRIE R. A. OWINGS A. W. FOWLER,

Chairman.

Senator Fowler moves the adoption of the Report.

Which motion prevailed.

The committee of three to confer with the Board of Administration relative to stationery and supplies made the following report:

Mr. President: Your committee of three appointed to confer with the Board of Administration relative to making arrangements of necessary stationery and supplies for the Twentysixth Session of the Senate, reports as follows:

Your committee has contacted the office of the Board of Administration and been advised that most of the supplies necessary are carried in stock and can be delivered immediately on order.

The committee recommends that any members desiring supplies leave the order with the Secretary of the Senate where requisition will be made.

Mr. Greiser moved the adoption of the report.

Which motion prevailed.

Senator Whelan moved the nomination of A. Z. Nelson as Assistant Secretary of the Senate.

ROLL CALL

The question being on the election of A. Z. Nelson as Assistant Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold .
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke

Messrs.	Messrs.	Messrs.
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	

Absent and not voting:

Messrs. Messrs. Nelson, Grand Fks. Watt

So A. Z. Nelson was elected as Assistant Secretary of the Senate.

Senator Whelan moved the nomination of Phil E. Poppler as First Assistant Secretary of the Senate.

ROLL CALL

The question being on the election of Phil E. Poppler as First Assistant Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings .
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	216/3

Absent and not voting:

Messrs. Messrs. Nelson, Grand Fks. Watt

So Phil E. Poppler was declared elected First Assistant Secretary of the Senate.

Senator Whelan moved the nomination of the following employes: Jean Traynor, Stenographer; Gilbert Lee, Janitor; Elmo Ressler, Janitor.

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ROLL CALL

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

Those voting in the affirmative were:

Gronvold	Olson, Mountrail
Guenther	Owings
Guthrie	Raschko
Hill	Skarvold
Holl	Streibel
Isaak	Stucke
Kamrath	Thatcher
Lavik	Thorson
Lemke	Торр
Leum	Trout
Lian	Troxel
Magoffin	Tweten
	Whelan
Morrison	Wog
Nelson, McKenzie	Young
Olson, McHenry	
	Guenther Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, McKenzie

Absent and not voting:

Messrs. Messrs. Nelson, Grand Fks. Watt

So the following employees were declared employed as follows: Jean Traynor, Stenographer; Gilbert Lee, Janitor; Elmo Ressler, Janitor.

Senator Gilbertson moved that the Senate go on record to allow and authorize the committee which was appointed to arrange for committee rooms to spend not to exceed five dollars a day to hire a room downtown for the Appropriations Committee, if we see fit, so that said Appropriations Committee will be able to hold evening sessions and will not conflict with the morning sessions that can be held by other committees of the Senate and thus permit the better dispatch of the business of the Senate.

Senator Fowler made a substitute motion that action be delayed until the Appropriations Committee has had opportunity to canvass the situation among themselves.

Which motion prevailed.

Senator Whelan asked to return to the fifth order of business.

Senator Whelan made the following report from the Employment Committee:

The Employment Committee was handed the schedule for the chaplains by the Bismarck-Mandan Ministerial Association. Every church is represented and will have a pastor for four days. Senator Whelan moved that the report of this association be adopted.

Senator Gronvold moved the nomination of Senator William Watt as President Pro Tem of the Senate.

Senator Nelson of Grand Forks moved that nominations be closed.

Which motion prevailed.

ROLL CALL

The question being on Senator Gronvold's motion, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Aandahl	Guenther	Olson, McHenry	
Aasen	Guthrie	Olson, Mountrail	
Beaton	Hill	Owings	
Bilden	Holl	Raschko	
Blaisdell	Isaak	Streibel	
Brant	Kamrath	Stucke	
Bridston	Lavik	Thatcher	
Dahl	Lemke	Thorson	
Drew	Leum	Topp	
Flatt	Lian	Trout	
Fowler	Magoffin	Troxel	
Fredrickson	Morgan	Tweten	
Gilbertson	Morrison	Whelan	
Greiser	Nelson, Grand Fks.	Wog	
Gronvold	Nelson, McKenzie	Young	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Blank	Braun	Skarvold

Passed:

Messrs. Watt

So Senator Watt was declared elected as President Pro Tem of the Senate.

The President of the Senate appointed Senator Gronvold as a committee of one to escort the President Pro Tem to the Rostrum.

Senator Watt was sworn in by the President of the Senate, as President Pro Tem.

Senator Watt: Gentlemen of the Senate: I want to say to you that I appreciate this honor you have conferred on me very much. I want to say to you that if the President of the Senate feels that at any time he wants to call on me to preside over you, I will do so to the best of my ability in fairness to everybody. Now I am surprised that you want a

speech from anyone. I thought you had enough speeches vesterday to last you for sixty days and if we do the things the governors want us to, we will be here for all next year. It gives me the jitters to see a man come upon a platform with a sheaf of papers. I just want to get out some place and go away. I don't think anybody is justified in talking over an hour. It is a long time since I came here as a member of the House of Representatives, 26 years I have been here continuously except for two sessions-1917 and 1919. I presume I have learned a lot. You fellows are not busy this afternoon and you won't mind me talking. I have had lots of experience. I have seen lots of things done and a fellow has got to be a dull boy that don't learn at least a few things. You know my mother passed on about twenty years ago, at the age of 93. She got very much concerned about me about thirty years ago, when she was 80 years of age. She was much concerned about my joining the Masonic lodge. She always called me William, and she said "The next thing William will be getting into politics and then what?" I don't know whether she would approve of me now or not. But there are just one or two things that have not happened to me yet. I have a good wife, the best wife anybody could have and I had the best mother anybody could have. My wife has had to put up with a lot from me, but she has not divorced me as yet and I haven't walked downtown in the middle of the winter in nightshirt and straw hat. Until those things happen I can claim to be respectable. I am the youngest of 8 children and the others claimed I was spoiled, but there is one thing I always got to do, milk the The only place I could see that my parents ever cows. favored me was, about the time I arrived on the scene things were getting a little modern. All the rest of the family had to learn the shorter catechism. I didn't have to do that but that was the only favor ever shown me but that had its disadvantages too. The minister came round every once in awhile and called on all the people and heard the children say their catechism. I remember one time, especially one Sunday at church, the minister announced that he would start a round of visits. He would start at our farm the next morning about ten o'clock. My mother was very much concerned. You know how women are about their housesthey have got to be all fixed up. Possibly none of you fellows have those kind of wives! She had everything prepared and sent my brother John to get a bottle of wine. When the minister came, two things that he did showed that he was getting modern. He forgot the catechism and when he was offered the wine he said he would take a glass of milk. That showed that ministers of that time were becoming modern. I suppose you fellows will agree with my family that I am spoiled before I get thru here. I may be hard to get along with but we will get along for sixty days. We have a real job to do and how are we going to do it? We are all asking ourselves the same question. How are we going to meet the obligations of the State and do things that we think should be done? If we take something out that seems necessary it will be because we can't find the money to do it with. Now, gentlemen, I thank you again

for the honor you have conferred on me. I appreciate it very highly and I hope we get along and we will do our job in workmanlike manner and I think we are going to do it that way.

Senator Magoffin moved that a special committee of five be appointed to handle all bills that are introduced; to throw out all bills that are not necessary, throw out duplicate bills and cut out items not all right; and that the House appoint **a** like committee so that the two committees can analyze bills that come before the two houses and reduce our work about 25%, and that such committee be known as the Clearance Committee.

Motion prevailed.

The President of the Senate appointed as such Clearance Committee: Senators Fowler, Fredrickson, Blaisdell, Thatcher and Owings.

Senator Fowler moved that the Senate go into executive session.

Which motion prevailed.

Senator Bridston thanked the Senate on behalf of Mrs. John Hulteng for the favors the Senate extended to the late Senator Hulteng.

The President of the Senate announced that the Senate had received the nominations of W. T. DePuy as Tax Commissioner and John A. Graham as State Bank Examiner and had consented to the nominations and confirmed Mr. W. T. DePuy as Tax Commissioner and Mr. John A. Graham as State Bank Examiner.

Senator Gilbertson moved that the Senate do now adjourn.

Which motion prevailed, and the Senate stood adjourned.

COURTESY CARDS

Courtesy cards were extended to the following: E. J. McKellar, Fargo, N. D.; Johnny Smith, Bismarck, N. D.; A. J. Watson, Dawson, N. D.; John Spitzer, Streeter, N. D.; E. L. Anderson, Dawson, N. D.; K. W. Burton, Dawson, N. D.; Paul Hasse, Tappen, N. D.; Michael Chernich, Bismarck, N. D.; Mae Hanson, Grand Forks, N. D.; Rosella Schmidt, Grand Forks, N. D.; Hanna B. Haaland, Fargo, N. D.; P. M. Hansen, Jamestown, N. D.; Robert Eddy, Jamestown, N. D.; H. W. Lyons, Jamestown, N. D.

> WM. J. LOWE, Secretary.

FOURTH DAY

Senate Chamber, Bismarck, North Dakota, January 6, 1937

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

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

Roll call.

All Senators present except Bilden; Bridston; Dahl; Gilbertson; Nelson of Grand Forks; Olson of McHenry, Raschko; Stucke; Wog.

Senator Gronvold moved that the absent Senators be excused.

Which motion prevailed.

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

On page 24, strike out the words "Hjalmer Nelson" in line 48 and the word "Janitor" in line 49.

Cn page 25 in line 26, strike out the words "Hjalmer Nelson" and in line 27 the word "Janitor".

On page 25 in lines 31 and 32 add an "s" to the word "appropriation".

On page 25 in line 33 add an "s" to the word "Session".

On page 25 in line 39, add an "s" to the word "appropriation".

On page 28, line 23 after the word "Senate" add the words "announced that the Senate had received".

And when so amended recommend that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted. Which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Whelan presented a resolution submitted by the County Auditor of Pembina County urging the opposition of the Senate to any change in the present laws relative to distribution and payment to the counties of the monies received from the gasoline and motor vehicle assessments.

The President stated that the above resolution would be referred to the Committee on Taxes and Tax Laws.

A communication was read from the office of the Attorney General relative to Public Printing.

Senator Morrison moved that no action be taken on the above communication until the Committee on Public Printing has had time to further investigate.

Motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Whelan:

Mr. President: The Committee on Employment nominates the following employees:

F. J. Wanner, Mailing Clerk; C. S. Tornbom, Telephone Messenger; Herbert J. Roberts, Clerk, Committee on Taxes and Tax Laws; Edwin M. Nething, Doorkeeper; Emil Helberg, Clerk, Committee on Appropriations; Frances Rudel, Stenographer.

ROLL CALL

The question being on the election of F. J. Wanner as Mailing Clerk; C. S. Tornbom as Telephone Messenger; Herbert J. Roberts, Clerk of Committee on Taxes and Tax Laws; Edwin M. Nething, Doorkeeper; Emil Helberg, Clerk, Appropriations and Frances Rudel, Stenographer, there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Aandahl	Guthrie	Olson, Mountrail	
Aasen	Itill	Owings	
Beaton	Holl	Skarvold	
Blank	Isaak	Streibel	
Blaisdell	Kamrath	Thatcher	
Brant	Lavik	Thorson	
Braun	Lemke	Торр	
Drew	Leum	Trout	
Flatt	Lian	Troxel	
Fowler	Magoffin	Tweten	
Fredrickson	Morgan	Watt	
Greiser	Morrison	Whelan	
Gronvold	Nelson, Grand Fks.	Young	
Guenther	Nelson, McKenzie	0	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bilden	Gilbertson	Stucke
Bridston	Olson, McHenry	Wog
Dahl	Raschko	

The President administered the oath of office to the following, and they were duly declared elected: F. J. Wanner, Mailing Clerk; C. S. Tornbom, Telephone Messenger; Herbert J. Roberts, Clerk, Committee on Taxes and Tax Laws; Edwin M. Nething, Doorkeeper; Emil Helberg, Clerk, Appropriations; Frances Rudel, Stenographer.

Senator Fredrickson moved that the Senate return to the Seventh Order of Business, which request was granted.

Senator Fredrickson requested that the secretary of state be requested to send to Secretary of the Senate all papers on file in his office with respect to the contest against Senator Aandahl and when received be referred to the Judiciary Committee for consideration. I ask that this go to the Judiciary Committee because there are legal questions involved as to the jurisdiction of this Senate to hear the contest.

Motion prevails.

Senator Tweten presented a resolution from the Benson County Commissioners in regard to amending the law regarding giving the counties the gasoline tax and the motor vehicle tax.

The President referred the above communication to the Committee on Taxes and Tax Laws. Senator Morrison moved that the Senate designate only the title of resolution and the name of the person, or persons, sending in the resolution, unless otherwise ordered.

Motion prevailed.

Senator Lemke:

Mr. President: Your Committee of three appointed to meet with a like Committee from the House to confer with the Board of Administration and the Northwestern Bell Telephone system with reference for the retaining of the present switch board system as now installed in the House and Senate Committee Rooms begs to report:

That we have been unable to get into a conference with the House Committee, because of their being too busy. On Wednesday, the 4th, the House Chairman was contacted but we were informed by him that no conference could be had for that day because of the pressing business during the afternoon. On Thursday, the 5th, we made several attempts for a conference but again failed. Later in the day upon inquiry we were informed by the Chief Clerk of the House that independent action had been taken by the House. Your Committee then held a conference with Mr. Litten of the Northwestern Bell Telephone company and were informed that all telephones necessary would be installed at \$4.60 upon proper authorization from the House and Senate.

B. W. LEMKE, Chairman MR. HILL

Senator Lemke moved the adoption of the above report, which motion prevailed.

Senator Whelan moved that the committee appointed by the chair be authorized to act independently to enter into a contract with the Northwestern Bell Telephone company for the necessary phones, and in that connection also suggested that several of the committee rooms have phones as this was found last year to be a great convenience. Motion prevailed.

ROLL CALL

The question being on Senator Whelan's motion to have the present committee on installing telephones act independently to enter into a contract with the Northwestern Bell Telephone company, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Braun	Lemke	Topp
Drew	Leum	Trout
Flatt	Lian	Troxel
Fowler	Magoffin	Tweten
Fredrickson	Morgan	Watt
Greiser	Morrison	Whelan
Gronvold	Nelson, Grand Fks.	Young
Guenther	Nelson, McKenzie	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bilden	Gilbertson	Stucke
Bridston	Olson, McHenry	Wog
Dahl	Raschko	0

So Senator Whelan's motion was declared carried.

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

WM. J. LOWE, Secretary.

FRIDAY, JANUARY 6, 1939

COURTESY CARDS

Courtesies of the floor were extended to: Mike Schmaltz, Balta, N. D.; Ferdinand Singer, Balta, N. D.; Mike Costello, Rugby, N. D.; Max Warran, Balta, N. D.; Hedrant Lesmister, Balta, N. D.; S. Bryce Streibel, Fessenden, N. D.; Mr. and Mrs. Gus Rudel, Fessenden, N. D.; Mrs. Frank H. Beaton, Fargo, N. D.; Grace Aasen, Aneta, N. D.; John Swanson, McVille, N. D.; Carl Vold, McVille, N. D.; Wayne L. Twito, Leeds, N. D.; Stanley Danielski, Minto, N. D.; E. A. Willson, Bismarck, N. D.

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FIFTH DAY

Senate Chamber, Bismarck, North Dakota, January 7, 1939

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

Prayer by the Chaplain, Rev. Walter E. Vater, Bismarck.

Roll Call: All Senators present except: Bilden, Brant, Bridston, Dahl, Fredrickson, Gilbertson, Greiser, Isaac, Lemke, Magoffin, Olson of McHenry, Raschko, Stucke, Wog.

Senator Gronvold moved that the absent Senators be excused.

Which motion prevailed.

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

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Fourth Day and ask that the same be corrected as follows:

On page 31, line 12, after the word "Fredrickson" change the word "moved" to "requested".

On page 31, line 15, of the Fourth Day's Journal, change the words "Senator Aandahl" to "Secretary of the Senate."

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

PETITIONS AND COMMUNICATIONS

Senator Morrison presented a resolution from the Mc-Clusky Lions Club relative to the state assistance of school districts and to the passage by the Senate of a resolution commemorating the U. S. Congress to pass the Harrison-Fletcher bill.

Referred to Committee on Taxes and Tax Laws.

Senator Thatcher presented a resolution by the County Commissioners of Bottineau County regarding the change of existing laws which interfere with the making of loans with the Federal Land Bank of St. Paul.

Referred to Committee on State Affairs.

Resolutions opposing the changing of the present law on refunds to the counties from the gasoline tax, were presented by Senator Gronvold from the Pierce county commissioners, Senator Trout from the Renville County commissioners, and Senator Blank from the Morton county commissioners. The above resolutions were referred to the Committee on Taxes and Tax Laws. Senator Trout introduced a resolution from the Renville County commissioners pleading for a moratorium by the Governor authorizing county commissioners to defer tax title action.

Referred to Committee on Taxes and Tax Laws.

Senator Magoffin presented a resolution from the Dickey county commissioners, (1) opposing the changing of the present law on refunds to the counties from the gasoline tax; (2) that the county should be allowed to make a tax levy for poor relief; (3) that counties should be allowed by law to issue bonds to take up the certificates of indebtedness outstanding prior to January 1st; (4) that the contract system of paying taxes to 1936 and 1937 be extended; (5) that a number of the boards and commissions be abolished.

Referred to Committee on Taxes and Tax Laws.

Senator Flatt presented a resolution from the Ransom County Farmers Union regarding the establishment of an Adult Education School in connection with the Edgeley Experiment Station.

Referred to the Committee on Education.

Senator Flatt presented a resolution from the Ransom County Farmers Union requesting the protection of farmers and cooperative truckers from discriminatory regulations.

Referred to the Committee on State Affairs.

Senator Holl presented a resolution from Round Prairie, Marley, Hebron and Bull Butte Farmers Union Locals requesting (1) research and study of all economic problems confronting the farmers be made by the Agricultural College and Experiment Stations; and (2) requesting funds be made available to operate the Williston Experimental Sub-Station. The first resolution was referred to the Committee on Agriculture and the second to the Committee on Appropriations.

The Secretary of the Senate announced that, pursuant to Senator Fredrickson's motion of the Fourth Day, the contest papers in the Aandahl contest case have been handed to him. Referred by the President, pursuant to Senator Fredrickson's motion, to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Senator Watt moved that the report of the committee on Mileage and Per Diem be printed in the journal and action laid over one legislative day so that the members might check their mileage, which motion prevailed.

Mr. President: Your Committee on Mileage and Per Diem presents the following report:

JOURNAL OF THE SENATE

NAME AND ADDRESS	.P.	N.	Soo	Milw.	Car
	Z	G	1	A	0
Thomas Whelan, St. Thomas	388	270			
Walter Troxel, Berthold Ed. Lian, Fairdale		44	380		8
Ed. Lian, Fairdale	388	286			60
R. R. Morgan, Grafton	388	231			
Oliver Bilden, Northwood		152			
N. N. Nelson, Emerado J. B. Bridston, Grand Forks	388	158	1		26
J. B. Bridston, Grand Forks	'388	158			
Henry Leum, Mayville Arthur W. Fowler, Fargo	388	112			
Arthur W. Fowler, Fargo		1	1		
Frank H. Beaton, West Fargo	378				6
William Watt, Leonard					14
W. J. Braun, Wahpeton	388	90	1		-
A. N. Lavik, Milnor	1406	1 00	1		4
J. L. Flatt, Sheldon	179	1			6
F. J. Fredrickson, Valley City	979				0
C. P. Dahl, Cooperstown	296				24
C. S. Aasen, Aneta		100			10
Ed. A. Hill, Wales	000	1004	č		16
H C Cuanthan Polla		368	000		10
H. G. Guenther, Rolla Gust Tweten, Oberon	1000	308	380		0
C E Drow Douile Labo	362	000	000		3
B. W. Lowley Co. Lake		236	380		- 0
D. W. Lemke, Cando		304	380		18
Ben Gilbertson, Jamestown	204	1			
G. F. Drew, Devils Lake B. W. Lemke, Cando Ben Gilbertson, Jamestown Milton R. Young, Berlin	342				
E. Magollin, Monango	Laurine and		264		
E. H. Brant, Linton	128				
James W. Guthrie, Bismarck					
Wm. A. Thatcher, Bottineau		198			
J. C. Blaisdell, Jr., Minot			380		
Philip W. Blank, Mandan M. J. Raschko, Dickinson					12
M. J. Raschko, Dickinson	230	1.1.1			
Otto Topp, Grace City	324	36			
R. M. Streibel, Fessenden			360		16
Martin Olson, Butte			246		
C. C. Morrison, Steele Robert Greiser, Wishek	88				
Robert Greiser, Wishek			158		
Andrew Skarvold, Christine	388				50
F. G. Aandani, Litchville	414				50
Gust Wog, Belfield	270				36
R. A. Owings, Lignite		110	380		18
Hjalmer Nelson, Schafer		84			24
F. T. Gronvold, Rugby		122	380		
Walter J. Trout, Sherwood			380	i	8
Axel Olson, Parshall		-00	286		0
K. Holl, Wildrose		219	380		
E. C. Stucke, Garrison		-16	156		
Wm. Kamrath, Leith			100		10
G. Isaak, Dodge					14
Herman Thorson, Bucyrus	920		1	410	16
merman morson, bucyrus		0.000	ed,	410	10

spectfully submitted, WM. WATT, J. C. BLAISDELL, C. C. MORRISON.

Senator Thatcher moved that the following report of the Committee on Rules be printed in the Journal and that action be deferred one legislative day in order to be looked over by the Senators, which motion prevailed.

1. In the order of business change No. 7 to 8, 9 to 7, 10 to 9, 11 to 10, 12 to 11, 13 to 12, 14 to 13 and 8 to 14.

2. The regular sessions of the Senate shall begin at 2:00 o'clock P. M., and if a quorum be present the presiding officer will then proceed with the regular order of business.

3. No change.

4. No change.

5. No change.

6. No change.

7. No change.

8. If any member transgresses the rules of the Senate, the presiding officer shall call him to order, and when a member shall be called to order by the President he shall sit down, and shall not proceed without permission.

9. No change.

10-11. Titles to Nos. 10 and 11 should be reversed.

12. No change.

13. No change.

14. No change.

15. No change.

16. Change Section 16 to read as follows: The Senate shall appoint the following committees: A Committee on Committees, to consist of three or more members, of which the President of the Senate shall be the chairman.

Change the name of the committee on women's and children's welfare to public welfare.

No changes from Sections 17 through 48, inclusive.

Signed:

ANDREW SKARVOLD, G. F. DREW, R. A. OWINGS, WM. A. THATCHER, Chairman.

Senator Thatcher moves the adoption of the report.

Senator Morrison read the following report of the Committee on Printing:

Your committee of 3, appointed to confer with a like committee of the House on the form of the Journal and the Daily Calendar on the number of daily journals, calendars and bills to be printed and on other matters relating to legislative printing.

Report as follows:

We recommend the printing of four thousand (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 (10) copies of this Journal, and that in addition thereto there be placed on the mailing list all state institutions, public libraries, state historical society, all state's attorneys, county auditors; two (2) copies to the University Law School, the auditor of each incorporated city, the president of the village council of each incorporated village, any newspaper published in the state, and by request to any high schools, consolidated rural schools, secretary of labor clubs, farmers' clubs, commercial clubs or women's clubs within the state may be placed on the mailing list; that all bills and journals authorized by this resolution be printed, shall be delivered by the printer to the secretary of the Publication and Printing Commission, which shall receipt therefor to the printer.

That there be printed five hundred (500) copies of the House and Senate Bills, unless otherwise ordered, by the House in which a bill is introduced.

That the number of pages in the permanent journals correspond with those of the daily journals.

That five hundred (500) copies of the daily Journals be punched.

That the state printer be authorized to deliver to the mailing clerks request cards for Journals, said cards to be mailed to those people who are entitled to receive the Journals by request.

In the interest of economy we recommend the following changes in the form of the Journals, to-wit:

(1) That date lines occupy one line in the following form:

"Bismarck, January-, 1939".

- (2) That the roll call list only members absent.
- (3) Eliminate the word "Messrs." from all roll calls.
- (4) That on all reports and messages the name of the party signing the same and his title be placed on same line.
- (5) Eliminate the names of people granted courtesies of the floor.
- (6) Eliminate the word "also" where it appears between the titles of bills.
- (7) Eliminate the words "very respectfully" from all messages.
- (8) Eliminate the title of all bills from committee reports, following the form adopted by the Senate two years ago.

- (9) Type matter in Journals to be set solid according to regulations on page 6, section 53 of the printing laws.
- (10) That 500 copies of the daily calendar be printed.

(11) That 325 copies of permanent Journal be printed.

In order to comply with Chapter 186 of the Session Laws of 1937, which provides for a daily legislative calendar, your committee recommends that Melvin P. Johnson be engaged as Calendar Clerk by the Senate and House at a salary of eight dollars (\$8.00) per day and four hundred dollars (\$400) for indexing both Senate and House Journals.

Signed:

Senators

C. C. MORRISON R. R. MORGAN ROBERT GREISER

Representatives C. P. RITTER HARRY O'BRIEN RALPH BEEDE.

Senator Morrison moved the publication of this report, and that action on its proposals be deferred until Tuesday.

Senator Watt moved that the report be amended as follows: After the words "published in this state" there be added the words "all secretaries of county taxpayers' associations."

Which amendment prevailed.

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Senator Young moved that the Joint Committee on Printing be made a permanent committee for the balance of the session, which motion prevailed.

Senator Young moved that all requests for legislative printing have the approval of the President of the Senate before being printed, which motion prevailed.

Senator Morgan moved that all bills be typed on typewriters equipped with pica type, which motion prevailed.

FIRST READING OF SENATE BILLS

Committee on Appropriations introduced:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations for the Same Matters or Purposes Provided for Herein.

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

Committee on Appropriations introduced:

Senate Bill No. 2. 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.

Committee on Appropriations introduced:

Senate Bill No. 3. 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.

Committee on Appropriations introduced:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, 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.

. Committee on Appropriations introduced:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

Committee on Appropriations introduced:

Senate Bill No. 6. 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.

Committee on Appropriations introduced:

Senate Bill No. 7. 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.

Committee on Appropriations introduced:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, 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.

Committee on Appropriations introduced:

Senate Bill No. 9. 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.

Committee on Appropriations introduced:

Senate Bill No. 10. 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, as Provided for Under Chapter 137, Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith.

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

Senators Aasen, Young and Braun introduced:

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Office at a Primary Election for a Party Office and Who Was Defeated for Said Office, From Being a Candidate for the same Office at the ensuing General Election.

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

Senator Blaisdell moved that we continue to make six copies of introduced bills as in the past.

Senator Guthrie made a substitute motion that we have eight copies typed of all bills, which motion prevailed.

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

WM. J. LOWE, Secretary.

COURTESIES OF THE FLOOR

Courtesies of the floor were extended to the following: Mrs. Wm. Watt, Leonard, N. D.; David Blair, Maza, N. D.; J. B. McWethy, Fargo, N. D.; J. M. Carthcart, Fargo, N. D.; John Conrad, Erie, N. D.; Mrs. Ruth Bissell, Grand Forks, N. D.

SEVENTH DAY

Senate Chamber, Bismarck, North Dakota, January 9, 1939.

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

Prayer by the Chaplain, Rev. Walter E. Vater, Bismarck.

Roll call: All Senators present except Fredrickson.

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

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

On page 1, line 20, after the word "requested" add the following, "On page 31, line 15, of the Fourth Day's Journal, change the words 'Senator Aandahl' to 'Secretary of the Senate'."

On page 22, add the letters "es" to the word Tax on line 22.

On page 36, line 43, after the word "to" change the word "me" to "him".

On page 31, strike out all of line 38.

On page 38, strike out the last two paragraphs and insert the words "Senator Morrison read the following report of the Committee on Printing".

On page 40, line 26, after the word "moved" strike out the words "adoption and" and in line 28 after the word "Tuesday", make a separate paragraph, and in line 40 change the word "Morrison" to "Morgan".

Senator Greiser moved that the report be adopted, which motion prevailed.

PETITIONS AND COMMUNICATIONS

A resolution opposing the changing of the present law on

refunds to the counties from the gasoline tax, was presented by Senator Beaton from the Cass County Commissioners.

Referred to Committee on Taxes and Tax Laws.

Senator Whelan presented a resolution from the Grand Forks Council Number 64 of the U.C.T. petitioning for legislation regarding liability and property damage insurance for drivers of motor vehicles.

Referred to Committee on Insurance.

Senator Magoffin presented a petition from Townsend Club number 1 of Ellendale in regard to the forty dollar a month old age pension.

Referred to Committee on Public Welfare.

Senator Troxel presented a resolution from the Good Roads Committee of Carpio with reference to an additional one cent gasoline tax.

Referred to Committee on Taxes and Tax Laws.

Senator Lavik presented a communication from the Sargent County Commissioners recommending (1) leaving the gas and motor vchicle tax to the counties undisturbed; (2) a change in the Tree Bounty law; (3) furnishing by the state of a greater percent of relief costs; (4) opposition to the cancellation or reduction of the original real estate taxes now delinquent; (5) recomending land-use studies for all counties; (6) that the liquor tax be a replacement tax; (7) public aid to indigent persons unable to pay cooperative health insurance premiums and (8) a heavy tax on malt.

Referred to Committee on State Affairs.

REPORTS OF SELECT COMMITTEES

Senator Watt moved that the report of the Committee on Mileage and Per Diem, as published in the Journal of the Fifth Day be adopted.

ROLL CALL

The question being on Senator Watt's motion to adopt the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp

Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Messrs.

Fredrickson

So the report of the Committee on Mileage and Per Diem was adopted.

Senator Nelson of McKenzie County requested that the Senate return to the Sixth Order of Business, which request was granted.

The Secretary of the Senate read the following resolution which was presented by the special committee appointed by the President, composed of Senators Nelson of Mc-Kenzie County, Watt and Fowler:

SENATE MEMORIAL RESOLUTION "A"

WHEREAS, the late John K. Brosteun of the Forty-first Legislative District was called to his eternal reward since the last Session of the Legislature; and

WHEREAS, he represented said Legislative District for two years as a member of the House of Representatives, and for five Sessions as a member of the Senate, 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 that we do hereby express our heartfelt appreciation of the loyal service of our distinguished citizen, the late John K. Brosteun, and that we further express the keen sorrow which we feel because of his passing; and

BE IT FURTHER RESOLVED, that this resolution be printed in the Journal and that an engrossed copy be forwarded by the Secretary of the Senate to his wife, Mrs. John K. Brosteun of Alexander, North Dakota.

Committee:

HJALMER NELSON, Chairman, WILLIAM WATT, A. W. FOWLER.

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Senator Nelson of McKenzie county moved the adoption of the above resolution, which motion prevailed and the resolution was unanimously adopted by a rising vote.

Senator Fowler announced that the Committee on Committees had made a substitution, placing Senator Raschko on the Committee on Tax and Tax Laws and Senator Kamrath on the Committee on Mines and Minerals, exchanging their positions.

Senator Fowler moved that the above substitution be agreed to, which motion prevailed.

Senator Thatcher moved that the Employment Committee be authorized to furnish a badge or other means of identification for the Sergeant-at-Arms and his assistant, which motion prevailed.

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

> WM. J. LOWE, Secretary.

COURTESIES OF THE FLOOR

Courtesies of the floor were extended to the following:

Mrs. Walter Troxel, Berthold, N. D.; Alfred Isaak, Dodge, N. D.; Erma Isaak, Dodge, N. D.; Irna Isaak, Dodge, N. D.; and V. E. Patterson, Grand Forks, N. D.

EIGHTH DAY

Senate Chamber, Bismarck, North Dakota, January 10, 1939:

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

Prayer by the Chaplain, Rev. Walter E. Vater, Bismarck.

Roll call: All Senators present except: Fredrickson.

Senator Gronvold moved that all absent members be excused, which motion prevailed.

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

On page 45, line 20, change "B" to "A".

On page 21, after the committee list for Mines and Minerals add the following words: "Printing: Morrison, (chairman), Morgan, Greiser".

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

PETITIONS AND COMMUNICATIONS

Senator Wog presented a resolution from the Board of County Commissioners of Golden Valley County, North Dakota, opposing the changing of the present law on refunds to the counties from the gasoline tax.

Referred to Committee on Taxes and Tax Laws.

Senator Magoffin presented a resolution from the Edgeley Sub-Experiment Station Reopening Committee regarding the reopening of that station.

Referred to Committee on Agriculture and Livestock.

Senator Troxel presented resolutions from the Spencer-Baden Farmers Union Local number 636 (1) urging Senate appropriation of funds to support the Langer Old Age Pension Act, which was referred to the Committee on Public Welfare, and (2) a resolution recommending drastic reductions on all delinquent taxes, tax free homes, graduated land tax, and sales tax as a replacement tax, referred to the Committee on Taxes and Tax Laws.

REPORTS OF STANDING COMMITTEES

To The President of the Senate:

Your Committee on Judiciary, to which was referred the election contest of James G. Thoreson, contestant, against Fred Aandahl, contestee, today held a public hearing upon said matter. The contestant was represented by Bernard J. Smith, his attorney, and the contestee, Senator Aandahl, was present in person. The matter was considered at length and a motion was made and unanimously carried that when the committee arises it recommend that the said contest be dismissed, and said committee therefore recommends that said contest be dismissed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report of the Committee on Judiciary be adopted and that said contest be dismissed, which motion prevailed.

Senator Wog moved that the Senate recess for fifteen minutes in respect to Representative Rotering who passed away this morning.

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

REPORT OF STANDING COMMITTEES

The Committee on Enrolling and Engrossing made the following report:

Mr. President: The Committee on Enrolling and Engrossing respectfully report that they have examined the following bills:

Memorial Resolution "A" (John K. Brostuen).

And find the same correctly enrolled.

Senator Trout moved that the report be adopted, which motion prevailed.

Senator Morrison asked the permission of the Senate to withdraw until a later date the report of the Committee on Printing which had been laid over until today for action. There being no objections, permission was granted.

Senator Thatcher requested that action on the report of the Committee on Rules, which had been laid over until today, be laid over one more legislative day. There being no objections, the request was granted.

REPORT OF SELECT COMMITTEES

The Secretary of the Senate read the following resolution which was presented by the special committee appointed by the President, composed of Senators Bridston, Nelson of Grand Forks and Young.

SENATE MEMORIAL RESOLUTION "B"

Introduced by Select Committee

WHEREAS, Divine Providence in His infinite wisdom has seen fit to remove from our midst our colleague and fellow worker, Senator John L. Hulteng of the seventh legislative district; and

WHEREAS, The said Senator John L. Hulteng left behind him a long and honorable record of public service both to the State of North Dakota and his home city of Grand Forks, having served with distinction as an alderman and president of the city commission of Grand Forks and as a member of the state pardon board, and had been elected a member of this body when his final illness prevented him from taking an active part in our deliberations;

BE IT RESOLVED, by the Senate of the Twenty-sixth Legislative Assembly of the State of North Dakota, that we express our grief at the loss of Senator Hulteng at a time when he was most valuable to his state, and that we express our condolences to the members of his family.

BE IT FURTHER RESOLVED, That this resolution be inscribed on the record of the Senate and that the secretary be instructed to send properly executed and engrossed copies of this resolution to his wife and son.

Committee:

J.	В.	BRIDSTON
NT	3.*	VIEL COM

N. N. NELSON M. R. YOUNG.

The above resolution was unanimously adopted by a rising vote of the Senate of the Twenty-sixth Legislative Assembly

vote of the Senate of the Twenty-sixth Legislative Assembly on January 10, 1939.

JACK A. PATTERSON, President of the Senate.

Attest:

WM. J. LOWE,

Secretary of the Senate.

Senator Young moved the adoption of the above resolution, which motion prevailed and the resolution was unanimously adopted by a rising vote.

Senators Thorson, Skarvold, and Nelson of McKenzie, introduced:

SENATE CONCURRENT RESOLUTION No. 12

A Concurrent Resolution Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

Which was read for the first time and referred to the Committee on Agriculture and Livestock.

FIRST READING OF SENATE BILLS

Senator Aandahl introduced:

Senate Bill No. 13. A Bill for an Act to Amend and Re-

enact Section 4141 of the Compiled Laws of North Dakota for 1913, Relating to the Organization for the Annual or Special Township Meetings.

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

Senator Beaton introduced:

Senate Bill No. 14. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

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

Senator Watt requested that the Senate return to the Eighth Order of Business, which request was granted.

Senator Drew moved that the Committee on Appropriations be authorized to rent a room downtown that will be satisfactory to the Committee for use in holding evening sessions.

Senator Streibel made a substitute motion that the Committee on Appropriations be not authorized to rent a room downtown for the purpose of evening meetings, which motion was lost.

ROLL CALL

The question being on the motion of Senator Drew that the Appropriations Committee be authorized to rent a room downtown for evening sessions, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Gronvold	Morgan
Aasen	Guenther	Morrison
Beaton	Guthrie	Nelson, Grand Fks.
Blaisdell	Holl	Topp
Bridston	Lavik	Trout
Drew	Leum	Watt
Flatt	Lian	Whelan
Fowler	Magoffin	Young
Gilbertson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bilden	Kamrath	Skarvold
Blank	Lemke	Streibel
Brant	Nelson, McKenzie	Stucke
Braun	Olson, McHenry	Thatcher
Dahl	Olson, Mountrail	Thorson
Greiser	Owings	Troxel
Hill	Raschko	Tweten
Isaak		

Absent and not voting:

Messrs. Messrs. Fredrickson Wog

So the motion prevailed and the Committee on Appropriations was authorized to rent the said room.

Senator Whelan requested that the Senate return to the Sixth Order of Business, which request was granted.

Senator Whelan moved the nomination of the following employes: Esther Bryans, Stenographer; B. Dorthea Tabbert, Assistant Enrolling and Engrossing Clerk; Leone Hoff, Stenographer; Dorothy Lundy, Stenographer; Eleanor Ahlstrom, Committee Clerk; Idar Rimestad, Clerk, and Theodore Heinle, Janitor.

ROLL CALL

The question being on the election of Esther Bryans, Stenographer; B. Dorthea Tabbert, Assistant Enrolling and Engrossing Clerk; Leone Hoff, Stenographer; Dorothy Lundy, Stenographer; Eleanor Ahlstrom, Committee Clerk; Idar Rimestad, Clerk, and Theodore Heinle, Janitor, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Messrs.

Fredrickson

So the motion prevailed and the following employes were declared elected and sworn in by the President: Esther Bryans, Stenographer; B. Dorthea Tabbert, Assistant Enrolling and Engrossing Clerk; Leone Hoff, Stenographer; Dorothy Lundy, Stenographer; Eleanor Ahlstrom, Committee Clerk, and Theodore Heinle, Janitor.

FIFTEENTH ORDER OF BUSINESS

The Secretary of the Senate announced that the President was about to sign Senate Memorial Resolution "A."

And the President signed the same in the presence of the Senate.

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

WM. J. LOWE, Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

E. Holt, W. R. Olson, A. E. Sjoberg, Sanish; R. Bertsch and Albert Bertsch, Esmond.

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NINTH DAY

Senate Chamber, Bismarck, North Dakota, January 11, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Ellis L. Jackson, Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal reported that it found the Journal to be correct and recommended that it be approved.

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

PETITIONS AND COMMUNICATIONS

Senator Olson of Mountrail county presented a resolution from the Oakland Farmers Union recommending that the legislature lower real estate values and reimburse farmers for excess taxes paid on excess valuations, and also recommending a graduated net income tax law and opposing the gross income tax and any increase on automobile or truck licenses and increase on the gasoline tax.

Referred to the Committee on Taxes and Tax Laws.

Senator Troxel presented a resolution from the Kenmare Lions Club favoring an additional gasoline tax levy or any feasible means of raising money to match U. S. road funds for maintenance.

Referred to the Committee on Taxes and Tax Laws.

Senator Morrison presented a radio speech by Ed Staib of Cleveland, N. Dak., which he requested be referred to the proper committee.

Referred to the Committee on State Affairs.

Senator Thatcher moved that the Report of the Committee on Rules be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution: SENATE RESOLUTION "B" (Senator John L. Hulteng) and find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved the report be adopted, which motion prevailed, and the report was adopted by a rising vote of the Senate.

Senator Beaton moved that Senate Bill No. 14 be transferred from the Committee on Counties, to the Committee on Agriculture and Livestock, which motion prevailed and Senate Bill No. 14 was re-referred to the Committee on Agriculture and Livestock.

The Committee on Printing made the following report:

Mr. President: Your committee of three, appointed to confer with a like committee of the House on the form of the Journal and the Daily Calendar, on the number of daily journals, calendars and bills to be printed and on other matters relating to legislative printing reports as follows:

We recommend the printing of four thousand (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 (10) copies of this Journal, and that in addition thereto there be placed on the mailing list all state institutions, public libraries, state historical society, all state's attorneys, county auditors; two (2) copies to the University Law School, the auditor of each incorporated city, the president of the village council of each incorporated village, any newspaper published in the state, all secretaries of county taxpayers associations, and by request to any high schools, consolidated rural schools, secretary of labor clubs, farmers' clubs, commercial clubs or women's clubs within the state may be placed on the mailing list; that all bills and journals authorized by this resolution to be printed, shall be delivered by the printer to the secretary of the Publication and Printing Commission, who shall receipt therefor to the printer.

That there be printed five hundred (500) copies of the House and Senate Bills, unless otherwise ordered, by the house in which a bill is introduced, except appropriation and tax bills, of which 750 copies shall be printed.

That five hundred (500) copies of the daily Journal be punched.

That the state printer be authorized to deliver to the mailing clerks request cards for Journals, said cards to be mailed to those people who are entitled to receive the Journals by request, as herein indicated.

In the interest of economy we recommend the following changes in the form of the Journals, to-wit:

- (1) That date lines occupy one line in the following form: "Bismarck, January —, 1939."
- (2) That the attendance roll call list only members absent.

- (3) Eliminate the word "Messrs." from all roll calls.
- (4) That on all reports and messages the name of the party signing the same and his title be placed on the same line.
- (5) Eliminate the names of people granted courtesies of the floor.
- (6) Eliminate the word "also" where it appears between the titles of bills.
- (7) Eliminate the words "very respectfully" from all messages.
- (8) Eliminate the title of all bills from committee reports, following the form adopted by the Senate two years ago.
- (9) Type matter in Journals to be set solid according to section 53 of the 1913 Compiled Laws.
- (10) That 500 copies of the daily calendar be printed.
- (11) That 325 copies of the permanent Journal be printed.

Signed:

Senators C. C. MORRISON R. R. MORGAN ROBERT GREISER.

Representatives C. P. RITTER HARRY O'BRIEN RALPH BEEDE.

Senator Morrison moves the adoption of this report.

ROLL CALL

The question being on the adoption of the report of the Committee on Printing, the roll was called and there were ayes, 49; nays, 0; and the report was adopted.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt

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Messrs.

Fredrickson Gilbertson Greiser Gronvold Messrs. Messrs. Nelson, Grand Fks. Whelan Nelson, McKenzie Wog Olson, McHenry Young

FIRST READING OF SENATE BILLS

Senator Leum introduced:

Senate Bill No. 15. A Bill for an Act Relating to and Concerning the Labeling of Beer and Malt Beverage Offered or Exposed for Sale, or Sold Within This State, and Providing Penalties for Violations Thereof.

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

Senator Leum introduced:

Senate Bill No. 16. A Bill for an Act Relating to the foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, how Execution may Issue Upon Deficiency Judgment Entered, and Repealing Section 8100 of the Compiled Laws of North Dakota for the Year 1913, Chapter 155 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937.

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

Senators Nelson of McKenzie, Skarvold and Thorson introduced:

SENATE CONCURRENT RESOLUTION No. 17

A Concurrent Resolution Relating to Fuel Briquettes to Be Made from Straw.

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

The Secretary announced that the President was about to sign Senate Memorial Resolution "B."

And the President signed the same in the presence of the Senate.

Senator Wog requested that the Senate return to the Seventh Order of Business, which request was granted.

Senator Wog moved that the President appoint a committee of three to act with a like committee from the House to arrange for joint memorial services for Representative Rotering and Representative Anderson, which motion prevailed.

The President appointed as such committee Senators Wog, Lavik and Raschko.

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

WM. J. LOWE, Secretary. .

TENTH DAY

Bismarck, January 12, 1939

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

Prayer by the Chaplain, Rev. Ellis L. Jackson.

Roll Call: All Senators present except Flatt and Nelson of Grand Forks.

The Committee on Revision and Correction of the Journal made the following report: On page 56, line 27, after the word "Senate" strike out the word "Bill" and insert the words "Concurrent Resolution." Also strike out the words "A Bill for an Act" and insert "A Concurrent Resolution," and when so amended recommended that the same be approved.

ROBERT GREISER, Chairman

Senator Greiser moved that the report be adopted, which motion prevailed.

Resolutions were presented by Senator Holl from the Williams County Commissioners and by Senator Flatt from the Ransom County Commissioners, opposing the changing of the present law on refunds to the counties from the gasoline tax.

Referred to the Committee on Taxes and Tax Laws.

Senator Whelan presented a resolution from the Pembina County Commissioners with reference to taxing alcohol and alcoholic beverages.

Referred to Committee on Taxes and Tax Laws.

REPORT OF SELECT COMMITTEE

Senator Wog reported that the committee of three appointed by the President to act with a like committee from the House to arrange for joint memorial services for Representative Rotering and Representative Anderson, had completed their arrangements and services will be held at 11:00 a. m. Friday, the 13th, in the House Chamber.

Senator Isaak moved that the President appoint a committee of three to arrange for photographs for the members of the Senate, which motion prevailed.

The President appointed as such committee, Senators Isaak, Blaisdell and Gilbertson.

Senator Greiser moved that individuals and state departments be allowed one copy of each printed bill, and that those desiring additional copies be required to secure an order from a Senator for the same, with the understanding that the number of copies to be given out be limited as much as possible, which motion prevailed. 1

Senator Owings moved that all calendars be removed from the walls of the Senate, which motion prevailed.

FIRST READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. "18"

Introduced by Senators Tweten, Olson of Mountrail and Blank. A Concurrent Resolution Memorializing the President of the United States and Congress to Pass the "Townsend Recovery Plan" Bill.

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

SENATE CONCURRENT RESOLUTION NO. "19"

Introduced by Senators Beaton, Nelson of McKenzie and Bilden.

A Concurrent Resolution Memorializing Congress to Pass the Harrison, Thomas, Fletcher Bill Which Provides for Federal Aid for Schools.

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

SENATE CONCURRENT RESOLUTION NO. "20"

Introduced by Senators Stucke, Owings, Thatcher and Streibel.

A Concurrent Resolution Memorializing Congress for Establishment of Prices on Farm Products Equal to the Cost of Production.

Was read the first time and referred to the Committee on Agriculture and Livestock.

SENATE CONCURRENT RESOLUTION NO. "21" Introduced by Senators Olson (McHenry), Thorson and Kamrath.

A Concurrent Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senator Wog moved that the Senate recess until 10:45 a. m., January 13th, which motion prevailed and the Senate stood recessed.

WM. J. LOWE, Secretary.

TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 13, 1939.

The Senate convened at 10:45 a. m., pursuant to recess taken, the President presiding.

Senator Gronvold moved that all absent Senators be excused, which motion prevailed.

Senator Thatcher moved that the Senators do now attend the Joint Memorial Services in the House for Representative Rotering and Representative Anderson in a body and that at the completion of the services the Senate stand adjourned, which motion prevailed.

WM. J. LOWE, Secretary.

ELEVENTH DAY

Bismarck, January 13, 1939.

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

Prayer by the Chaplain, Rev. Ellis L. Jackson.

Roll call: All Senators present except: Flatt, Gilbertson, Nelson of Grand Forks.

Senator Morgan moved that the President appoint a committee to escort to the rostrum, former Senator from Walsh County, the Honorable P. J. Murphy, who is a visitor this afternoon, which motion prevailed.

The President appointed as such committee, Senators Morgan and Watt.

Mr. Murphy: "Mr. President and Gentlemen of the Senate, I am very pleased indeed to have this opportunity to visit you and greet both the old members and the new members. I was around this morning and met nearly all the new men. Knowing the old members as I do, and their ability, my size-up of the new members leads me to believe that you have a very splendid set-up of men in the Senate this session. I want to congratulate you. The first session that I served here was in 1915. In looking around the only Senator I see that was here at that time is Senator Gronvold. Senator Nick Nelson was also a member at that time, but he is absent today. I see many old members that I spent many sessions with; there is Senator Watt—he was in the House before he came over to the Senate. Many times we used to kid each other about it. I used to tell him he should come over to the Senate where we had a fine bunch of people and he always said there were a better bunch in the House, but I see he has changed his mind!

"I want to say to you that I believe you have work before you and it will require heroic effort to bring about legislation to meet conditions in the state. I know you will keep in mind what the revenue of the state will be and make provisions accordingly. With Senator Watt as chairman of the Appropriations Committee, I know you are not going to exceed the limit. I had the pleasure of serving with Senator Watt many sessions and I know that he is very much interested in the Committee on Appropriations. I see Senator Brant sitting down in front, who was also chairman of the Committee on Appropriations one session and we got along very splendidly.

"I am not going to attempt to tell you men what you should do this session, because you are acquainted with the facts. You should have the facts and figures and I haven't, but I did have them when I was a member of the Senate and gauged my judgment accordingly. If you have not secured these facts and figures, it is up to you to get them and if you do and go over them thoroughly and vote as your conscience dictates, you won't go far astray.

"I want to say again that I am very pleased to be here. As I look around the Senate Chamber in a certain direction, there is one little incident that comes to my mind. Some sessions ago there was one Senator noted for gathering up his books and papers at the close of the session and going back to his room at once. One afternoon he stayed for some time after the session was over and the other senators thought something was wrong. Dr. Porter was a member of the Senate at that time, so he went over and sat down beside this Senator and asked, 'Is your wife entertaining this afternoon?' and the Senator replied, 'Not very.' That Senator isn't here today and I am not going to mention him but it was quite an amusing incident at that time!

"I want to say once more that when I size up the personnel of this Senate, I think it measures up as a whole, as well as any session I attended and I wish you success. I just want to say again: Size up the facts and figures and vote as your conscience dictates, then you won't go far astray."

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

made the following report: Mr. President: Your Committee on Revision and Correction of the Journal made the following report:

Line 36, page 58, change the first letter in the line from "p" to "a", and when so amended recommend that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Nelson of McKenzie County presented a resolution from Kotana District Medical Society of Williams and Mc-Kenzie Counties requesting necessary funds be allotted to retain the School of Medicine at the University of North Dakota, and favoring a Basic Science Law.

Referred to the Committee on Appropriations.

Senator Holl presented a resolution from the Williams County Farmers Union Convention favoring home correspondence high school studies; folk schools and funds for our state educational institutions so that teachers can be trained to teach cooperation. Referred to the Committee on Ways and Means.

Senator Thatcher presented a resolution from the Bottineau County Agricultural Society requiring that taxes be paid on land owned by the state.

Referred to the Committee on Public Lands.

Senator Young presented resolutions from the Golden Glen Farmers Union Local No. 416 of Edgeley. (1) opposing raising the gasoline tax, (2) opposing raising the sales tax and (3) favoring the leasing with option to buy the State Mill and Elevator.

Referred to the Committee on Taxes and Tax Laws.

Senator Olson of Mountrail presented a petition by Mountrail residents that (1) a sufficient Gross Income Tax be levied and the returns to be an absolute replacement tax for real and personal property only, (2) all homes and farms on which the owner resides and which do not exceed 320 acres or \$5,000 in value should be exempt from taxation, (3) a Gross Income or Sales tax be levied on all business, payable quarterly, (4) all buyers of farm produce be made tax collectors under bond, (5) an income tax or sales tax be levied on all proceeds from farm to market and (6) the tax so levied shall be adequate to replace all real estate and personal property taxes and retire outstanding indebtedness against delinquent taxes.

Referred to the Committee on Taxes and Tax Laws.

Senator Morrison presented a resolution from the Mc-Clusky School Board urging: (1) increase in sales tax monies devoted to schools, (2) means of obtaining revenue increase for schools, (3) that the Legislature memorialize Congress to enact the Harrison-Fletcher measure, providing funds to schools, (4) expansion of Smith-Hughes vocational education act to include wider agricultural field.

Referred to the Committee on Education.

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

FIRST READING OF SENATE BILLS

Senator Thatcher introduced:

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senator Fredrickson introduced:

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

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

SENATE CONCURRENT RESOLUTION NO. "24"

Introduced by Senators Thatcher, Brant, Morrison and Holl.

A Concurrent Resolution Urging the Establishment of a Division of Cooperatives in the Department of Agriculture.

Was read the first time and referred to the Committee on Agriculture and Livestock.

SENATE CONCURRENT RESOLUTION NO. "25"

Introduced by Senator Morrison. A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

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

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the storage, use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

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

Senator Whelan moved that the Senate recess for ten minutes while a resolution was being prepared in order that the resolution could be read today, which motion prevailed.

The Senate re-convened at the expiration of the ten minute recess.

Senator Whelan requested that the Senate return to the Seventh Order of Business, which request was granted.

SENATE RESOLUTION "A"

Introduced by Senators Braun, Blaisdell, Young and Whelan.

A resolution authorizing the Industrial Commission to dispose of durum wheat now in storage at the State Mill and Elevator.

Senator Whelan: "Mr. President, The Industrial Commission and the State Mill and Elevator have had a cash offer that would let them out on this wheat with but a small loss. The grain is not hedged and the risk of loss is too great to permit of further delay. Due to the urgency of this matter, I move that this resolution be adopted."

Senator Watt made a substitute motion that further consideration of this resolution be indefinitely postponed, which motion prevailed.

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

WM. J. LOWE, Secretary.

TWELFTH DAY

Bismarck, January 14, 1939.

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

Prayer by the Chaplain, Rev. Ellis L. Jackson.

Roll call: All Senators present except: Bridston, Flatt, Raschko, Topp.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Tenth Day after recess and the Eleventh Day and have found the same correct.

Senator Greiser moved that the report be adopted, which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Thatcher presented the following resolutions from the Farmers Union Local of Willow Vale Township, Bottineau County, requesting (1) that the Senate oppose the measure which proposes to withhold the gas tax refund; (2) that County and State owned lands be placed in the tax lists at same ratio as other taxable lands; and (3) that the Governor authorize county commissioners to defer action in Tax Title proceedings.

Referred to the Committee on Taxes and Tax Laws.

The Secretary read the report of the Joint Committee on Rules and Senator Aasen moved the adoption of this report.

After some discussion of said report, Senator Thatcher made a substitute motion that the report be returned to the committee for revision and correction, which motion prevailed.

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

At the request of Senator Topp, Senator Fowler moved that Senator Topp's name be taken from the Committee on Taxes and Tax Laws and that Senator Guthrie's name be substituted thereon, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Kamrath introduced:

Senate Bill No. 27. A Bill for an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925 (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property so Acquired, Until December 31, 1939; and Suspending the Operation of 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.

Senators Bilden and Fredrickson introduced:

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose.

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

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

WM. J. LOWE, Secretary.

FOURTEENTH DAY

Bismarck, January 16, 1939

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Opie S. Rindahl.

Roll Call: All Senators present except Bridston.

The Committee on Revision and Correction of the Journal reported that they had carefully examined the Journal of the Twelfth Day and found the same correct.

Senator Greiser moved that the report be adopted, which motion prevailed.

Senator Nelson of Grand Forks: Mr. President, I understand that the presiding officer of the 1937 Session, former Lieutenant Governor T. H. H. Thoresen is here today and I move that the President appoint a committee of three to escort Mr. Thoresen to the rostrum. Which motion prevailed.

The President then appointed Senators Nelson, Watt and Gronvold who escorted Mr. Thoresen to the rostrum.

Mr. Patterson: Mr. Thoresen, I am sure the body would

like to have a few words from you. Mr. Thoresen: Mr. President and Gentlemen of the Sen-ate: You don't know how happy I have been yesterday and today; coming back to Bismarck and meeting you folks again. It has certainly been a pleasure and I appreciate this privilege of again looking into your faces. Some of you were not here two years ago but many of you are old-timers. I think I said at the close of the Session two years ago that I had enjoyed the work. Now I say to you that as I recall the past, no work that I have ever done in my life was so much a genuine pleasure as the sixty days I spent here in the Session two years ago. You men were wonderful to work with two years ago and the presiding officer tells me this Senate beats the one of 1937. I will argue that point but he has the say-so right now!

I hope you men will find the solution for our many prob-lems but as I just said to Senator Olson, I have confidence that if you settle down to business as I know you are doing, you will find ways and means of settling these many problems that confront the people of North Dakota.

I again thank you gentlemen for this opportunity and honor.

PETITIONS AND COMMUNICATIONS

Senator Troxel presented a resolution from the Kenmare Association of Commerce requesting the Legislature to find some way to make available to the State, Federal Highway funds.

Referred to the Committee on Highways.

Senators Lian and Morgan presented a resolution from the Walsh County Schoolmasters Club recommending that the State Equalization Fund Law be re-enacted with provisions to set aside amounts for distribution of high school tuition and payments on the teacher-unit basis.

Referred to the Committee on Education.

Senator Nelson of McKenzie County presented a reso-lution from the Sioux Farmers Union Local asking that the Legislature make available the necessary funds to properly operate the Williston Experiment Sub-Station. Referred to the Committee on Agriculture and Live-

stock.

Senators Lian and Morgan presented a resolution from the Grafton Parent-Teacher Association of Grafton, N. Dak., asking that legislation be enacted establishing an equalization fund, which will provide the sum of two hundred dollars each year for each teacher-unit of both ele-mentary and high schools.

Referred to the Committee on Education.

The President of the Senate presented a resolution addressed to him from the Farmers Union Local of Hebron, urging that the Legislature do abolish the existing tax system and substitute therefor a gross earnings tax in the form of a 2 to 5% transaction tax with a minimum \$5.00 charge for every man, woman and child, abolishing all property taxes and instituting an easy payment plan for past due property taxes.

Referred to the Committee on Taxes and Tax Laws.

The President of the Senate presented a resolution addressed to him from the Hazelton Nonpartisan club urging that the Legislature do memorialize the 76th Congress to (1) pass an amendment enabling the Federal Government to tax securities now tax-exempt; (2) pass an amendment placing all Federal, State and local employees on income tax lists on an equitable basis with all taxpayers; and (3) break the existing credit monopoly, restoring to Congress its right to coin money using Congressional powers to stabilize the price level.

Referred to the Committee on Federal Relations.

MESSAGE FROM THE HOUSE

House Chamber, Bismarck, January 16, 1939. Mr. President:-I have the honor to transmit herewith: Joint Memorial Resolution "A" for your signature. MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

The Joint Committee of the Senate and House on Joint Rules, make the following report:

Mr. President and Mr. Speaker:

Your Joint Committee on Joint Rules of the Senate and House have had under consideration the adoption of joint rules for the Senate and House for this the 26th Legislative Assembly, and do hereby recommend that the joint rules of the 25th Legislative Assembly of the State of North Dakota be adopted as the joint rules of the Senate and House for the 26th Legislative Assembly except that Rule 13, Page 20 of the Joint Rules for the 25th Legislative Assembly be amended as follows:

We recommend that only one set of the Joint Rules

be printed in the pamphlet following the list of Joint Committees of the House.

In line 16 change the figures "1939" to "1941" and when so amended, recommend that the same be adopted.

Dated this 13th day of January, 1939. For the Senate:

C. S. AASEN, Chairman O. E. BILDEN

FRED G. AANDAHL MARTIN OLSON

N. N. NELSON.

For the House:

MANDUS HULTSTRAND, Chairman

J. H. HECKMAN G. I. FETON

W. R. SINGLETON L. W. BELZER JOHN J. ADAM L. L. TWICHELL.

Senator Aasen moved the adoption of the report of the Joint Committee on Rules, which motion prevailed.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 27. A Bill for an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925 (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property so Acquired, Until December 31, 1939; and Suspending the Operation of 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 word "A Bill" and insert in lieu thereof the following:

For an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of North Dakota: Section 1. In proceedings taken under the provisions of Chapter 266 of the Session Laws of 1927, no tax deed shall be issued prior to October 1, 1939, and the period of redemption from any tax sale made under the provisions of said Chapter is hereby extended to October 1, 1939.

Section 2. SAVING CLAUSE). Providing, however, that this Act shall not prohibit appraisals or sales of any of the property heretofore acquired under the Provisions of the foregoing Acts to which the County has acquired title at or before the time of taking effect hereof.

Section 3. EMERGENCY). An emergency is hereby de-

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clared to exist and this Act shall be in full force and effect from and after its passage and approval,

And when so amended recommend that the same do pass. A. W. FOWLER, Chairman.

Senator Fowler moved the report of the Committee on Taxes and Tax Laws be adopted, which motion prevailed. REPORTS OF SELECT COMMITTEES

The Committee on Committee Rooms reported that this committee has assigned rooms as follows:

Room

Agriculture, Game and Fish, Warehouse and Gra grading, Highways	
Banks, Corporations, Counties	
Education, Tax and Tax Laws	
Enrolling and Engrossing	
Public Welfare, Public Health, Public Safety, Pub	lic
Lands, Public Printing	
Temperance, Ways and Means, Military and Indi Affairs, Mines and Minerals	
Railroads, Insurance, Irrigation, Immigration	
State Affairs, Judiciary	

Senator Gilbertson moved the adoption of the report of the Committee on Committee Rooms, which motion prevailed.

The Committee to arrange for an official photographer reported that the Risem Studio of Bismarck had performed satisfactory service two years ago and will do the work this year at \$1.00 per member and will charge \$1.00 for each duplicate photograph furnished. The Committee recommends the Risem Studio as the official photographer for this session.

Senator Isaak moved the adoption of the report of the Committee, which motion prevailed.

The President announced that the Senate would be on the Fifteenth Order of Business, for the purpose of signing a memorial resolution.

The Secretary announced that the President was about to sign Joint Memorial Resolution "A."

And the President signed Joint Memorial Resolution "A" in the presence of the Senate.

The Senate returned to the Eleventh Order of Business.

FIRST READING OF SENATE BILLS

Senator Streibel introduced:

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

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

Senator Lavik, (by request), introduced:

Senate Bill No. 30. A Bill for an Act to Amend and Reenact Chapter 158, Laws of 1933, Relating to the Foreclosure of Real Estate Mortgages by Advertisement.

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

Senators Young, Owings and Guenther introduced:

SENATE CONCURRENT RESOLUTION No. 31

A Concurrent Resolution Urging the Congress of the United States to Establish Work Projects for Farmers. Was read the first time and referred to the Committee on State Affairs.

Senator Blaisdell requested that the Senate be on the Seventh Order of Business, which request was granted.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 16, 1939.

Mr. Speaker: I have the honor to return Joint Memorial Resolution "A" which the President has signed.

WM. J. LOWE, Secretary.

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

WM. J. LOWE, Secretary.

FIFTEENTH DAY

Bismarck, January 17, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Opie S. Rindahl.

Roll Call: All Senators present except Bridston.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fourteenth day and found the same correct.

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

PETITIONS AND COMMUNICATIONS

Resolutions opposing legislation to do away with gas tax refunds were presented by Senator Holl from the Williams County Farmers Union; by Senator Nelson of McKenzie County from the Sioux Farmers Union Local and by Senator Brant from the Emmons County Farmers Union.

Referred to the Committee on Taxes and Tax Laws. Senator Nelson of McKenzie County presented a resolution from the delegates of the McKenzie County division of the Farmers Educational and Co-operative Union petitioning the Legislature to appropriate the money needed to re-open and operate the Williston Sub-station.

Referred to the Committee on Agriculture and Livestock.

Senator Olson of Mountrail presented a resolution from the Stanley Commercial Club favoring an additional one cent gas tax to match federal funds for highways in North Dakota.

Referred to the Committee on Taxes and Tax Laws.

Senator Holl presented a resolution from the Williams County Farmers Union recommending (1) abolishing all Personal and Real Estate taxes up to \$10,000 true value; (2) Inheritance; Gift; Licenses; Chain Store; Corporation Farm; and other taxes of similar nature; (3) a graduated gross income tax; (4) that all tax systems be set up under the Federal Government supervision; (5) abolishing Sales Tax.

Referred to the Committee on Taxes and Tax Laws.

Senator Holl presented a resolution from the Williams County Farmers Union recommending that Cigarette, Snuff, Whiskey and Beer taxes be placed in a special fund to take care of the \$40.00 a month Old Age Pension Plan and if further money is necessary that a special tax be

placed on all Cosmetics and other commodities which may be classified as luxuries.

Referred to the Committee on Public Welfare.

Senator Nelson of McKenzie presented a resolution from the Charbonneau Farmers Union recommending that funds be made available for the re-opening and the operation of the Williston Experiment Sub-station.

Referred to the Committee on Agriculture and Livestock.

Also a resolution from Senator Nelson of McKenzie recommending that research and study into the economic and social problems of the farmers be made at the Agricultural College.

Referred to the Committee on Agriculture and Livestock.

Senator Holl presented a resolution from the View Local, No. 371, recommending that the State Mill and Elevator be set up as a true co-operative.

Referred to the Committee on State Affairs.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 17, 1939.

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

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefor; Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

The Joint Committee on Printing made the following report:

Be it resolved, that the daily calendar be printed in such form that it may be filed in a loose leaf folder, and

Be it further resolved, that Melvin Johnson be employed

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as assistant calendar clerk for a period of two weeks at a per diem of five dollars.

Signed:

Senators:

C. C. MORRISON R. R. MORGAN ROBERT GREISER. Representatives: HARRY O'BRIEN C. P. RITTER R. G. BEEDE.

Senator Morrison moved the adoption of the report of the Joint Committee on Printing.

ROLL CALL

The question being on the adoption of the report of the Joint Committee on Printing, the roll was called, and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Inose voung in on	c allimative were.	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Bridston

So the report of the Joint Committee on Printing was declared adopted.

REPORT OF SELECT COMMITTEES

The Committee on Employment introduced a Concurrent Resolution designating House and Senate employes, but on the request of Senator Whelan, Chairman, this Concurrent Resolution was returned to the committee for correction, and will be presented again tomorrow.

Senator Blaisdell moved that all petitions and communications received at the desk be referred to the proper committee without being read at the desk and that fact be noted in the Journal, which motion prevailed.

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

FIRST READING OF SENATE BILLS

Senators Leum, Aasen, and Nelson of Grand Forks introduced:

Senate Bill No. 32. A Bill for an Act to Amend Section 396a8 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 315 of the Session Laws for 1931, Relating to Premiums Due the Workmen's Compensation Bureau.

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

Committee on Appropriations introduced:

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the State Criminal Identification Bureau and for the Exercise of Powers Conferred and Discharge of the Duties Imposed Upon the State Superintendent of Criminal Identification for the Period from July 1, 1939, to June 30, 1941.

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

Senator Thorson introduced:

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Young, Blaisdell, Fowler, Dahl, Braun, Brant, Hill, and Lavik introduced:

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

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

Senator Holl introduced:

Senate Bill No. 36. A Bill for an Act to Amend and Reenact Section 2078 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 230, Session Laws of 1929, Relating to Exemption from Taxation.

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

Senators Nelson of Grand Forks, Whelan, Wog, Blank, Guthrie, Braun and Fowler introduced:

Senate Bill No. 37. A Bill for an Act to Create and Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All 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

State Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

Was read the second time.

Senator Fowler moved the following amendment to Senate Bill No. 27:

In the enacting clause, following the word "of," insert the language, "the State of," which motion prevailed.

Senator Fowler moved that the Rules be suspended and

Senate Bill No. 27 as amended be considered properly reengrossed and placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question now being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those	voting	in	the	affirmative	were:	
Annda	11			Cuenthen		01

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Bridston

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

Senator Fowler moved that the vote by which Senate Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefor; Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

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

WM. J. LOWE, Secretary.

SIXTEENTH DAY

Bismarck, January 18, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Opie S. Rindahl.

Roll call: All Senators present except Bridston.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifteenth Day and found the same correct.

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

PETITIONS AND COMMUNICATIONS

Senator Blaisdell presented two resolutions from the Brillian Local 832: (1) protesting against any legislation which tends to eliminate tax refunds to purchasers of gasoline for agricultural purposes; and (2) protesting against an increase in the sales tax.

Referred to the Committee on Taxes and Tax Laws.

Senator Stucke presented a resolution from the Farmers Union Local No. 470 of Blackwater, North Dakota, requesting the repeal of the old refund tax law, and suggesting the passage of a new law whereby the refund will be repaid on delivery by affidavit signed by the farmer for any gas used for agricultural purposes and stationary power plants.

Referred to the Committee on Taxes and Tax Laws.

Senator Nelson of Grand Forks presented a communication from the Grand Forks County Welfare Board suggesting changes in the poor relief residence laws.

Referred to the Committee on Public Welfare.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 18, 1939. Mr. Speaker: I have the honor to transmit herewith the following bill:

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 17.

A Concurrent Resolution Relating to Fuel Briquettes to be Made from Straw.

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

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted. Mr. President: Your Committee on State Affairs to

whom was referred Senate Concurrent Resolution No. 18.

A Concurrent Resolution Relating to the Townsend Recovery Plan.

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

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 31.

A Concurrent Resolution Relating to Establishment of Work Projects.

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

M. R. YOUNG, Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Agriculture and Livestock made the following report:

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Bill No. 14. 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:

That the letters "e" and "r" be inserted in the first line of the title in the word "emergency."

And when so amended recommend the same do pass. HERMAN THORSON, Chairman.

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

The Committee on Agriculture and Livestock made the following report:

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Concurrent Resolution No. 20. Establishment of Prices on Farm Products Equal to the Cost of Production.

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

On Page 2, Line 20½ the following words be inserted: "pass the Frazier Cost of Production Farm Bill and to."

And when so amended recommend the same do pass.

HERMAN THORSON, Chairman.

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

The Committee on Agriculture and Livestock made the following report:

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Concurrent Resolution No. 21. A Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

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

On page 3, Section 3, and line 4, after the word "cover," strike out the words, "all losses, as."

On Page 2, Section 1 and Line 13, change 54% to 75%. And when so amended recommend the same do pass.

HERMAN THORSON, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 18, 1939.

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

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

House Concurrent Resolution No. 80. A Concurrent Resolution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anniversary of the Statehood of the State of North Dakota.

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

MINNIE D. CRAIG, Chief Clerk.

REPORT OF SELECT COMMITTEE

The Committee on Employment introduced Concurrent Resolution "A" as follows:

CONCURRENT RESOLUTION "A"

Introduced by Committee on Employment

A Concurrent Resolution Providing and Designating House

and Senate Employes and Naming and Fixing Their Sal-

aries; Legislative Assembly. Be It Resolved by the House of Representatives of the 26th Legislative Assembly of the State of North Dakota and the Senate Concurring:

That for and during this Twenty-sixth Legislative Assembly the following named persons be employed and appointed as officers and employes of the Senate and of the House, and shall be paid the compensation set opposite their respective names:

HOUSE

Minnie D. Craig, Chief Clerk	.\$8.00
Albert Peterson, First Assistant Chief Clerk	. 6.50
E. O. Waydeman, Second Assistant Chief Clerk	
Marie Garske, Desk Reporter	. 8.00
Edw. Savre, Sergeant-at-Arms	. 5.00
C. E. Erickson, Assistant Sergeant-at-Arms.	4.50
Clara A. Kane, Chief Stenographer	5.00
Marie Tunell, Stenographer.	. 5.00
Pearl Lerfold, Stenographer	5.00
Evelyn Anderson, Stenographer	5.00
Corinne Emme, Stenographer	5.00
Dorothy Witcik, Stenographer	5.00
Adeline Orvik, Stenographer	5.00
Walter Bubel, Bill Clerk.	5.00
Henry O. Lundene, Bill Room Clerk	4 50
Howard Crockett, Voucher Clerk	
Arnold E. Banse, Enrolling and Engrossing Clerk	5.00
A. O. Haugerud, Calendar Clerk	5.00
F. J. Haines, Postmaster	4.50
Viola Erickson, Assistant Postmistress	4.50
Kenneth Morgan, Page	. 4.00
Wesley Belter, Page	4.50
Walter Radke, Page	4.00
Oscar Wahlund, Page	
O'Neil Maasjo, Page	. 4.50
Elsbeth Godwin, Telephone Attendant	. 4.50
Nellie Larson, Cloak Room Attendant	. 4.50
Joe Bohn, Cloak Room Attendant	. 4.50
Oscar Nelson, Cloak Room Attendant	
Helmer Twito, Proofreader	. 5.00
Arnold Fuchs, Proofreader.	. 5.00
William M. Dohn, Ass't Enrolling and Engrossing Clerk.	. 5.00
A. R. Powers, Mailing Clerk	. 4.50
Joseph Kratochvil, Assistant Mailing Clerk	. 4.50
Albert Schmolenberger, Assistant Mailing Clerk	. 4.50
Kasimir Schmalz, Assistant Mailing Clerk	. 4.50
O. T. Haakenson, Messenger to Governor	. 4.50
Gust Edlund, Head Janitor	. 4.50
Max L. Thiel, Janitor	. 4.50
Martin Olson, Janitor	. 4.50
Philip Himmerick, Janitor	4.50
Jacob G. Kruger, Janitor	
Steafon Volk, Janitor	. 4.50
Erick Westberg, Doorkeeper	. 4.50
R. A. Dotzenrod, Doorkeeper	. 4.50
Nels Quale, Doorkeeper	. 4.50
William Holmquist, Doorkeeper	. 4.50
Dominick Goetz, Doorkeeper	. 4.50

M. J. Burns, Night Watchman	4.50
Nick A. Schall, Clerk, Appropriations Committee	4.50
	4.50
Morris Larson, Clerk	4.50
John G. Nelson, Clerk	4.50
R. C. Stubbs, Clerk	4.50
Ben A. Schneider, Clerk	4.50
B. J. Anderson, Clerk	4.50

SENATE

William J. Lowe, Secretary of Senate	\$8.00
A. Z. Nelson, Assistant Secretary of Senate	6.50
Phil Poppler, Assistant Secretary of Senate	6.50
Ruth Smith, Desk Reporter	8.00
Helen Steuart, Bill Clerk	5.00
Pearl Shaw, Chief Stenographer	5.00
June Baribeau, Stenographer	5.00
Leone Hoff, Stenographer	5.00
Louise Chase, Stenographer	
Dorothy Lundy, Stenographer	5.00
Margaret Kraning, Stenographer	5.00
Frances Rudel, Stenographer	5.00
Vernice Wolff, Stenographer	5.00
Jean Traynor, Stenographer	5.00
Helen Steinmetz, Stenographer	. 5.00 E.00
Flagen Allation Clark State Affaire	. 5.00
Eleanor Ahlstrom, Clerk, State Affairs	. 4.50
Idar Rimestad, Clerk, Judiciary	. 4.50
Emil Helberg, Clerk, Appropriations	. 4.50
Herbert Roberts, Clerk, Taxes and Tax Laws	
Eva Goetz, Enrolling and Engrossing Clerk	. 5.00
B. Dorthea Tabbert, Ass't Enrl'g and Engrs'g Clerk	. 5.00
Emil Strand, Sergeant-at-Arms	. 5.00
Joe Fettig, Assistant Sergeant-at-Arms	. 4.50
Henry Anderberg, Proofreader	. 5.00
Bruce Nelson, Assistant Proofreader	
Nels Johnson, Postmaster	
O. J. Harris, Telephone Clerk	. 4.50
C. S. Tornbom, Press Room Messenger	4.50
Clarence Anderson, Page	. 4.50
Vernon Otis, Page	4.50
John Koehn, Page	. 4.50
Lloyd Olson, Page	4.50
J. C. Goll, Bill Room Clerk	4.50
I. M. Hanson, Assistant Bill Room Clerk	4.50
Edwin M. Nething, Doorkeeper	4.50
Charles Walby, Doorkeeper	4.50
T. O. Thompson, Doorkeeper	4.50
F. J. Wanner, Doorkeeper	
Harold Burau, Chart Clerk.	4 50
George Schlafmann, House Messenger	4.50
Theodore Heinle, Janitor.	4.50
Elmo B. Ressler, Night Watchman	4.50
Robert Wage, Janitor	4.50
Gilbert Lee, Janitor	4.50
E. W. Willoughby, Cloak Room Attendant.	4.50
S. B. Salverson, Chief Mail Room Clerk	4.50
George Gehringer, Assistant Mail Room Clerk	4.50
Theodow Thompson Assistant Mail Boom Clark	4.50
Theodore Thompson, Assistant Mail Room Clerk	4.00
Chaplain	3.00
That the Compensation of each of said employes	shall

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commence from the date upon which said employe was sworn in.

Senator Whelan moved that the reading of Senate Concurrent Resolution "A" be waived and that it be printed in the Journal, which motion prevailed.

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

Senator Young moved that the names of Senator Gilbertson and Senator Wog be added to Senate Bill No. 35, which motion prevailed.

Senator Morrison moved that the Senate print 750 of all bills, instead of 500, which motion prevailed.

At the suggestion of Senator Morrison, Chairman of the Committee on Printing, Senator Fowler moved that the Printing Committee be authorized to print additional copies of bills at their discretion up to 1,000 copies of any bill they deem advisable, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Morrison, Bilden and Young introduced:

Senate Bill No. 38. A Bill for an Act Providing for the Keeping of All Inventories, Books, Invoices and Records of Chain Retail and Commercial Institutions, at Each Local Unit or Place of Business of Any Such Institution or Branch Institution Thereof in the State of North Dakota, and Declaring an Emergency.

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

Senators Young, Bilden and Braun introduced:

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

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

Senators Thatcher, Young, Guthrie and Lemke introduced:

Senate Bill No. 40. 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.

FIRST READING OF HOUSE BILLS

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

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

House Concurrent Resolution No. 80. A Concurrent Reso-lution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anni-versary of the Statehood of the State of North Dakota. Was read for the first time and referred to the Com-mittee on State Affairs. Senator Thorson moved that the Senate do now adjourn,

which motion prevailed.

WM. J. LOWE, Secretary.

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SEVENTEENTH DAY

Bismarck, January 19, 1939.

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

Roll call: All Senators present.

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

On page 81, after the last line of the list of Senate employees, add the line "Chaplain-3.00."

On page 82, line 28, change the spelling of the word "Brown" to "Braun."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

PETITIONS AND COMMUNICATIONS

Resolutions from the County Commissioners Association of North Dakota regarding (1) The Amendment of the State Hail Insurance Act; (2) 100% collection of the gasoline tax; (3) The Amendment of Chapter 266 of the 1927 Session Laws; (4) Gas Tax Refunds; (5) Additional one cent gas tax; (6) Repeal of legislation regarding removal of county officials and requesting new legislation for same; (7) A recommendation that the State Land Department borrow money from the Bank of North Dakota to pay taxes on lands owned by the Bank; (8) Recommending that the license fee on trucks and buses be revised so as to conform to benefits accruing to motor vehicle owner; and (9) Recommending the necessary legislation to make the State of North Dakota liable for the care of patients in State Institutions; were presented by Senators Streibel; Beaton; Magoffin and Gronvold.

Referred to the Committee on Taxes and Tax Laws.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same be amended as follows:

In the title change the period to a comma and add the following "and declaring an emergency." In Section 1 after

the numeral one in the first line insert the word "Amendment" and a period.

And when so amended recommend the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Concurrent Resolution No. 12, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Concurrent Resolution No. 24, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

In line 13 after the word "clerk" insert the words "shall be clerk." Cross out the word "to" and insert in lieu thereof the words "and shall."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution No. 80, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same be amended as follows: (Amendments are made on the original bill.)

In line 39 after the second occurrence of the word "the" change the word "Board" to the words "Tax Commissioner."

In line 47 after the word "the" change the word "board" to the words "Tax Commissioner."

In line 62 after the word "property" change the word "purchases" to the word "purchased."

In line 67 after the word "the" strike out the word "retalls" and insert in lieu thereof the word "retail."

In line 78 change the last word of the line "of" to the word "or."

In line 93 after the word "service" insert the word "which."

In line 141 after the word "tax" change the word "Commission" to the word "Commissioner."

In line 170, first word, change the word "Commissioners" to read "Commissioner."

In line 194 after the word "payer" change the word "of" to the word "or."

In line 203 correct the spelling of the word "accompanied."

In line 222 after the word "tax" change the conjunction "or/" to the conjunctions "and/or."

In line 240 after the last word, insert the word "this."

In line 248 at the end of the line and at the beginning of line 249 change the word "purchases" to the word "purchased."

In line 269 change the last word "of" to "or."

In line 270 strike out the first word "of."

In line 272 before the first word "notice" insert the word "upon."

In line 273 after the word "if" change "ay" to the word "any."

In line 323 change the first word of the line from "or" to "of."

In line 331 after the word "state" strike out the comma and insert a period.

In line 294 change the last word of line "Title" to the word "Act."

In line 295 after the word "this" change the word "title" to the word "Act."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which . motion prevailed.

SEVENTH ORDER OF BUSINESS

Senator Thatcher moved that the name of Senator Morrison be added to Senate Bill No. 40, which motion prevailed.

Senator Whelan moved that Senate Concurrent Resolution No. 20 be adopted, which motion prevailed.

Senator Thorson moved that Senate Concurrent Resolution No. 21 be adopted, which motion prevailed.

Senator Young moved that Senate Concurrent Resolution No. 18 be adopted, which motion prevailed.

Senator Thorson moved that Senate Concurrent Resolution No. 31 be adopted, which motion prevailed.

Senator Gilbertson moved that Senate Concurrent Resolution No. 17 be adopted, which motion prevailed.

Senator Whelan moved the adoption of Senate Concurrent Resolution "A."

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "A," the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

	If the arrithactive we	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp

Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Absent and not voting: Kamrath

So Senate Concurrent Resolution "A" was declared adopted. SENATE CONCURRENT RESOLUTION No. "44"

Introduced by Senators Owings, Wog, Guthrie and Fowler. A Concurrent Resolution Memorializing Congress to Make

Credit Immediately Available to Finance Wheat Crop Insurance.

Was read the first time and referred to the Committee on Agriculture and Livestock.

FIRST READING OF SENATE BILLS

Senators Thorson, Nelson of Grand Forks, Wog, Morrison and Drew introduced:

Senate Bill No. 41. A Bill for an Act Declaring the Law of the State of North Dakota With Reference to the Extent to Which Lands Used and Usable for Farming and Ranching Purposes in this State May Lawfully be Charged With Tax Obligations, and Providing for an Over-all Limitation on the Tax Charges in Money Which May Lawfully be Spread against Such Lands, and Providing a Remedy for Past and Future Excessive Charges, and Providing for a Compromise and Adjustment of Delinquent Taxes on Said Lands, Even Though Those Delinquent Taxes Have Merged Into Tax Certificates or Tax Deeds, and Providing a Remedy and Procedure for Such Compromise and Adjustment, and Declaring an Emergency.

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

Senator Fowler introduced:

Senate Bill No. 43. A Bill for an Act to Amend and Reenact Section 3790 of the Compiled Laws of the State of North Dakota for the Year 1913 With Reference to Boards of City Commissioners and Salaries Paid Thereto.

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

The President announced that the Senate would return to the Seventh Order of Business for the reading of Senate Concurrent Resolution No. 42, if there were no objections.

SENATE CONCURRENT RESOLUTION NO. "42" Introduced by Senator Raschko

A Concurrent Resolution for Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

Was read the first time and referred to the Committee on Agriculture and Livestock.

SECOND READING OF SENATE BILLS

Senate Bill No. 14. 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, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

	he affirmative were:	au d'anna an thatair. T
Aandahl	Greiser	Nelson, Grand Fks.
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Skarvold
Bilden	Guthrie	Stucke
Blank	Hill	Thatcher
Blaisdell	Holl	Thorson
Brant	Isaak	Topp
Bridston	Lavik	Tweten
Braun	Lemke	Watt
Dahl	Leum	Whelan
Flatt	Magoffin	Wog
Fowler	Morrison	Young
Gilbertson		
Those voting in t	he negative were:	

Those v	oling in th	e negative were:	
Drew		Olson, Mountrail	Streibel
Lian		Owings	Trout
Morgan		Raschko	Troxel
Nelson,	McKenzie		

Absent and not voting:

Fredrickson Kamrath

So the bill passed and the title was agreed to, and the emergency clause was declared carried. Senator Watt moved that the Senate do now adjourn,

which motion prevailed.

WM. J. LOWE, Secretary.

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EIGHTEENTH DAY

Bismarck, January 20, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Floyd E. Logee.

Roll Call: All Senators present except Fredrickson, Gilbertson, Morgan and Morrison.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Seventeenth day and found the same correct.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 20, 1939.

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

Senate Concurrent Resolution No. 17. A Concurrent Resolution Relating to Fuel Briquettes to be Made from Straw.

Senate Concurrent Resolution No. 18. A Concurrent Resolution Relating to the Townsend Recovery Plan.

Senate Concurrent Resolution No. 20. A Concurrent Resolution Relating to Establishment of Prices on Farm Products Equal to the Cost of Production.

Senate Concurrent Resolution No. 21. A Concurrent Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

Senate Concurrent Resolution No. 31. A Concurrent Resolution Relating to Establishment of Work Projects.

Senate Bill No. 14. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

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

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Morrison presented a resolution from Kidder County Farmers of Tappen requesting (1) Abolition of taxes on property valued up to \$2,500, where occupied by resident owner; (2) That local government functions be maintained by the following taxes: Inheritance, Gift, Gasoline, Excise, Sales, License, Chain Stores and Farms, and others of Similar Nature; (3) That a Graduated Gross Income Tax Supplement General Property Tax; (4) That Federal and State Salaries and Bonds be no longer exempted from taxation; (5) That collection of these taxes be under the direction of the State Tax Commission.

Referred to the Committee on Taxes and Tax Laws.

Senator Blaisdell presented resolutions from the Torning Local No. 550 (1) Opposing an increase in the Sales Tax, and (2) Opposing the elimination of the tax refunds on agricultural gasoline.

Referred to the Committee on Taxes and Tax Laws.

Senator Blank presented the following:

Resolutions from the County Commissioners Association of North Dakota regarding (1) The Amendment of the State Hail Insurance Act; (2) 100% collection of the gasoline tax; (3) The Amendment of Chapter 266 of the 1927 Session Laws; (4) Gas Tax Refunds; (5) Additional one cent gas tax; (6) Repeal of legislation regarding removal of county officials and requesting new legislation for same; (7) A recommendation that the State Land Department borrow money from the Bank of North Dakota to pay taxes on lands owned by the Bank; (8) Recommending that the license fee on trucks and buses be revised so as to conform to benefits accruing to motor vehicle owner; and (9) Recommending the necessary legislation to make the State of North Dakota liable for the care of patients in State Institutions.

Referred to the Committee on Taxes and Tax Laws.

REPORT OF STANDING COMMITTEES

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

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose,

and Declaring an Emergency. Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 4141 of the Compiled Laws of North Dakota for 1913 Relating to the Organization for the Annual or Special Township Meetings.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 23, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same do pass. JAMES W. GUTHRIE, Chairman.

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

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 20, 1939.

Mr. President: I have the honor to transmit herewith the following bill, which the House has passed and your favorable consideration is respectfully requested:

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senator Thatcher moved that Senate Concurrent Resolution No. 24 be adopted, which motion prevailed.

Senator Thorson moved that Senate Concurrent Resolution No. 12 be adopted, which motion prevailed.

Senator Young moved that House Concurrent Resolution No. 80 be adopted, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. "45"

Introduced by Senators Thatcher and Young

A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60, of Article 2, of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

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

FIRST READING OF SENATE BILLS

Senators Thatcher and Young introduced:

Senate Bill No. 46. A Bill for an Act to Amend and Reenact Chapter 7 of the Session Laws of the State of North Dakota for the Year 1931.

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

Committee on Appropriations introduced:

Senate Bill No. 47. 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-fifth 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.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 48. A Bill for an Act to Amend and Reenact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, 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.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

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

Senators Wog and Raschko introduced:

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

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

Senators Young, Blaisdell, Thatcher, Braun and Blank introduced:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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

Those voting in th	ne affirmative were:	
Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Troxel

Dahl	Lian	Tweten
Drew	Nelson, Grand Fks.	Watt
Flatt	Nelson, McKenzie	Whelan
Fowler	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Gronvold	a service of the serv	

Absent and not	voting:	
Fredrickson	Magoffin	Morrison
Gilbertson	Morgan	Trout

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

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 4141 of the Compiled Laws of North Dakota for 1913 Relating to the Organization for the Annual or Special Township Meetings.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Raschko
Bilden	Guthrie	Skarvold
Blank	Hill	Streibel
Blaisdell	Holl	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Topp
Braun	Lemke	Troxel
Dahl	Leum	Watt
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Beaton	Olson, McHenry	Thorson
Isaak	Owings	Tweten
Absent and not	voting:	

Absent and no	t voting:	
Fredrickson	Morgan	Trout
Gilbertson	Morrison	
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So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

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

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

WM. J. LOWE, Secretary.

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NINETEENTH DAY

Bismarck, January 21, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Floyd E. Logee.

Roll call: All Senators present except Bilden, Fredrick-son, Morgan, Morrison, Raschko, Trout, Young.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Eighteenth Day and found the same correct, and recommend that same be approved.

ROBERT GREISER, Chairman. Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 21, 1939.

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

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 4141 of the Compiled Laws of North Dakota for 1913, Relating to the Organization for the Annual or Special Township Meetings.

SENATE CONCURRENT RESOLUTION No. 24

A Concurrent Resolution Urging the Establishment of a Division of Co-operatives in the Department of Agriculture. SENATE CONCURRENT RESOLUTION No. 12

A Concurrent Resolution Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

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

WM. J. LOWE, Secretary.

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

HOUSE CONCURRENT RESOLUTION NO. "80" Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Blaisdell presented a resolution from taxpayers of Minot, Des Lacs and Burlington urging the enactment of a Game law permitting the use of licensed bird dogs.

Referred to the Committee on Game and Fish.

Senator Holl presented a petition from J. R. Rikrle of Stanley urging the passage of a good law for Carpenters and giving regards to the "Speaker of the Senate" and stating that "nu da tidn er snort om ne vi skulde gjoranoget i da Nor Dakota Storting."

Referred to Senator Watt on motion of Senator Gilbertson, which motion prevailed.

Senator Blaisdell presented resolutions from the Ward County Farmers Union urging (1) opposition to sales tax increases and (2) opposition to the elimination of tax refunds on agricultural gasoline.

Referred to the Committee on Taxes and Tax Laws.

Senator Tweten presented a petition from P. B. Rognlie and 25 others from Esmond protesting against the repeal of the -law prohibiting deficiency judgments as proposed in SB 16 (Leum, Thatcher).

Referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 21, 1939.

Mr. President: I have the honor to return herewith the following resolutions which the House has adopted. SENATE CONCURRENT RESOLUTION No. 17

A Concurrent Resolution Relating to Fuel Briquettes to be Made from Straw.

SENATE CONCURRENT RESOLUTION No. 18

A Concurrent Resolution Memorializing the President of the United States and Congress to Pass the "Townsend Recovery Plan" Bill.

SENATE CONCURRENT RESOLUTION No. 20

A Concurrent Resolution Memorializing Congress for Establishment of Prices on Farm Products Equal to the Cost of Production.

SENATE CONCURRENT RESOLUTION No. 21

A Concurrent Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

SENATE CONCURRENT RESOLUTION No. 31

A Concurrent Resolution Urging the Congress of the United States to Establish Work Projects for Farmers.

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

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

In line 3, Section 1, after the word "ten," strike out the words "legal voters" and insert the words "free holders."

And when so amended recommend the same do pass.

F. T. GRONVOLD, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 22, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

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

HERMAN THORSON, Chairman.

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

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

Senator Guthrie moved that consideration of Senate Bill No. 23 be laid over until Monday, January 23, which motion prevailed.

Senator Fowler moved that consideration of Senate Bill No. 30 be laid over until Monday, January 23, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 52. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

The Committee on Appropriations introduced:

Senate Bill No. 53. A Bill for an Act to Repeal Section

1796a5 of the Supplement to the Compiled Laws of 1913, Relating to the Appropriation for the Annual Encampment of the Grand Army of the Republic.

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

The Committee on Appropriations introduced:

Senate Bill No. 54. A Bill for an Act to amend and Reenact Section 17, Chapter 27, of the Session Laws of 1929 Relating to Banking, Regulating the Administration of the Affairs of Insolvent Banks, Providing for Their Liquidation, Vesting the Supreme Court With Jurisdiction of Such Liquidation Proceedings and Requesting it to Assume Original Jurisdiction in Furtherance of the Public Interest, Creating the Position of Supreme Court Commissioner, Fixing His Compensation and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks and Continuing Receiverships, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of This Act, and Directing the Supreme Court to Exercise its Supervisory Authority Over the District Court in Proceedings for Liquidating the Affairs of Insolvent Banks, and Providing for the Re-opening and Re-organization of Closed or Suspended Banks, and Providing for Liquidation of Closed Banks by the Depositors Therein, and Designating a Custodian of Records and Property After Winding up Receiverships, and Providing for the Covering Into the General Fund of the State of Unclaimed Dividends.

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

Senators Hill, Tweten and Blank introduced:

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder and Declaring an Emergency.

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

Senators Isaak, Streibel, and Thorson introduced:

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932 Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 199 Session Laws 1931 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 Counties.

SECOND READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of 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, 42; nays, 0; absent and not voting, 7.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Blank	Hill	Skarvold
Blaisdell	Holl	Streibel
Brant	Isaak	Stucke
Bridston	Kamrath	Thatcher
Braun	Lavik	Thorson
Dahl	Lemke	Topp
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Abreat and not not		

Absent and not voting:

Bilden	Morrison	Trout
Fredrickson	Raschko	 Young
Morgan		-

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

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

WM. J. LOWE, Secretary.

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TWENTY-FIRST DAY

Bismarck, January 23, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. A. R. Henry.

Roll call: All Senators present except Braun and Lian. The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Nineteenth Day and found the same correct.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 23, 1939.

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

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, January 23, 1939.

To the President and Members of the Senate, 26th Legislative Assembly,

Bismarck, North Dakota.

Gentlemen:

I respectfully submit herewith a Message to the Legislature, and suggest that the same may be read at the opening session of the Senate this afternoon.

An identical Message has today been submitted to the House.

Respectfully submitted,

JOHN MOSES,

Governor.

MESSAGE

Ladies and Gentlemen of the 26th Legislative Assembly:

When I had the honor of addressing the Legislature on the 4th of January, I made reference to the initiated measure providing for old age assistance in the minimum of \$40 per month, stating that in view of the fact that such measure was then pending before the Supreme Court of the State, that I did not believe it would be pertinent for me to make any comment or offer any suggestion with reference thereto. Now, however, the Supreme Court has spoken and no doubt remains as to the constitutionality of this act. The so-called \$40-a-month old age assistance plan is squarely before us and it becomes our task to work out some solution to the problem. I need not remind the members of these Bodies that I have consistently taken the position that old age legislation is essentially a national and not a state problem. I have said so before and from every platform in North Dakota, and in justice to myself, I feel it necessary to say so again. Only through national legislation, probably through the principles of the Townsend Plan, can the question of old age pensions with its many ramifications be permanently and satisfactorily solved. Only the National Government is able to successfully bear the burden necessary to provide for the safety and the comfort of our old people during their declining years. Only the National Government is in a position to distribute the tax burden incidental to a solution of this problem in such a way that the burden be placed where it can best be borne. During the past three weeks, you, the members of the Legislature, have toiled diligently in a determined effort to solve the problems thrust upon you by the necessity for making provision for the ordinary expenses of government, coupled with the relief needs as presented to you through the budget, and recommendations of the Director of the State Welfare Board, and the needs of our children for a common school education. You are now faced with the further problem arising through the decision of the Supreme Court, sustaining the constitutionality of the initiated measure.

It is not my purpose to usurp or in any manner attempt to usurp the functions of the legislative assembly; it is not for me to tell you what you must do and what you must not do. May I, however, in all sincerity, point out to you the need for approaching these problems with a full realization of the needs of our people?

GENERAL GOVERNMENTAL FUNCTIONS. May I point out to you that the foremost necessity of the state is to make provision for the orderly functioning of state government? These functions must be carried out; provision must be made to enable the state departments and institutions to carry out their functions. We can not close our penal and charitable institutions; we are not in a position to close the doors of our institutions of higher learning; our citizens are entitled to the services and the protection of government, touching, as it does, the life of every man, woman and child in North Dakota at every hand.

RELIEF. In the budget submitted to you by the Director of the State Welfare Board, provision is made for the payment of not only the state's share of old age assistance, based upon the present Social Security Law, but also for a great many other relief activities. The needs of our children must be recognized through adequate provision for aid to dependent children and through reasonable grants to those who are forced to look to the state for at least a portion of their needs. This budget has been carefully worked out by the Welfare Board and while I expect that the Appropriation Committee of the House and of the Senate, as well as the members of the Legislature in general will carefully scrutinize this budget and the estimates provided, in the interest of the greatest of economy, nevertheless, this budget ordinary in the terms of the times and conditions which face us—must not be permitted to fail.

SCHOOLS. As I have previously pointed out, the state owes no higher duty than that of seeing that no child in North Dakota is denied the privilege of a common school education. We, as Americans, have recognized that principle before any other nation. It is part and parcel of our American heritage; it is a principle of government to which we must steadfastly cling, even in years like these. Bearing in mind this cardinal principle, I have no doubt that there is room for economies in many ways, perhaps through the consolidation of school districts, and through many other economies, all of which will in the aggregate tend to reduce the ultimate cost of providing education for our children, without material injury to a proper program. And I know from my many contacts with the members of these bodies that you are zealously endeavoring to put into effect such economies, some of which I have previously discussed in my Message to the Legislature.

Let me say again, that the right of our children to a common school education is a sacred right, and we, you and I, are entrusted with the duty of seeing that this right is not denied to the poorest child in the most drouth-stricken county of North Dakota.

OLD AGE ASSISTANCE. In order to adequately make provision for the functions of government, the relief program as it was presented to you at the outset of this session, and the education of our children, it will be necessary for you to put into effect all possible economies, without injuring or crippling this program.

Coming now to a direct consideration of the difficulties thrust upon the Legislature in an effort to carry out the provisions of the \$40-a-month old age assistance plan, it is apparent that radical increases in taxation will be necessary, if you are to carry out these provisions. Let me emphatically warn the members of the Legislature that in searching for additional means of taxation, that no increased tax income should be sought through an increase in the levies on real and personal property. Our real property, in particular, our farm land, is heavily burdened with taxes; millions of acres are now in danger of going to tax deed. Increased taxation here is unthinkable.

For the purpose of finding an avenue of taxation, then, we are confined to the so-called indirect taxes. Many proposals have been laid before you; other proposals will doubtless be made. Let these proposals be definite and certain; let such additional taxation measures as you may arrive at be based upon the ability to pay, with due regard to all of the surrounding circumstances, whether it be in the form of a gross income tax, increased taxes on liquor and luxuries, increased sales tax, if that be possible, transaction tax, or whatever form of taxation may be deemed the least dangerous and the least burdensome to all of our people. The Legislature should be fully informed and if necessary, some money should be spent in order to carefully scrutinize and study every new proposal for new methods of taxation or increases in existing indirect taxes. It goes without saying that it is most unfortunate that the method for raising the money with which to pay the \$40 a month assistance, as interpreted by the Supreme Court, was not provided for in the initiated act itself, denying to the people of our state the right to decide how the additional tax burden was to be provided. Suffice it to say that that task is yours. I know that you will approach that task in an honest effort to find a solution of this perplexing problem which has arisen, within the limited field of taxation that is open to you.

> Respectfully submitted, JOHN MOSES,

Governor.

Referred to the Committee on State Affairs.

Senator Gilbertson presented a resolution from the Stutsman County Commissioners urging enactment of legislation to provide necessary funds to match federal funds for highways.

Referred to the Committee on Taxes and Tax Laws.

Senator Troxel presented a resolution from the Berthold Farm and Town Club protesting any increase of the gasoline tax.

Referred to the Committee on Taxes and Tax Laws.

Senator Lavik presented resolutions from the Sargent and Bowen Farmers Union locals regarding: (1) Making poultry stealing a grand larceny offense (referred to the Committee on Judiciary); (2) obtaining Old Age funds from the income from liquor and cigarette taxes (referred to Committee on Public Welfare); (3) exemption of homesteads and an additional 1% sales tax as a replacement; (4) urging an additional 1c gas tax so that counties may be able to maintain their roads if present funds are withheld on Federal order; (5) permitting dealers to color gasoline for farm use and permitting refund of the state tax to the farmers at time of purchase (all referred to the Committee on Taxes and Tax Laws); (6) the necessity of a cost of production clause in the Federal Soil Conservation Act; (7) memorializing Congress to construct one of the four Federal experimental stations seeking new uses for agricultural products in North Dakota (both referred to the Committee on Federal Relations); and (8) eliminating excessive price differences in cream buying so as to eliminate hardship on co-operative creameries (referred to the Committee on Agriculture and Livestock).

Senator Lemke presented resolutions from the Towner County Taxpayers Association regarding (1) having the State pay expenses of patients in State institutions; (2) instituting County administration of the Old Age Pension; (3) apportionment of Sales Tax to counties according to population; (4) administration of poor relief by local governmental units; (5) leasing, sale or rental of the State Mill; (6) refunding and refinancing of State bonds at a lower rate of interest; (7) making all real estate taxes paramount to mortgage liens; (8) appropriating of money for only one State fair; (9) transferring of the Agricultural College Pharmacy, Medical and Engineering courses and departments to the University to eliminate duplication; (10) reducing the number of Agricultural Experiment stations to three; (11) eliminating all Normal Schools except Valley City and Minot; (12) eliminating all appropriations for model high schools; (13) eliminating the School of Forestry, the Ellendale Industrial School and the Wahpeton Science School and transferring the same to the University and Agricultural College; (14) abolishing the Planning Board; (15) reducing the number of legislative districts to fifteen of equal area and population with one Senator and two Representatives for each who shall be paid \$10 a day and mileage; (16) memorializing Congress regarding Missouri River diversion; and (17) memorializing Congress to investigate the high monopoly cost of farm machinery.

All referred to the Committee on State Affairs, the President of the Senate instructing that Committee to re-refer these resolutions to appropriate committees after preliminary consideration.

Senator Tweten presented a petition from Mr. Brown and others from Esmond protesting against the repeal of the law prohibiting deficiency judgments as proposed in SB 16 (Leum, Thatcher).

Referred to the Committee on Judiciary.

Senator Guthrie requested that the Senate be on the 7th Order of Business, which request was granted.

Senator Guthrie: Mr. President: As we have a very distinguished visitor from the University of Minnesota with us this afternoon, I move that the Sergeant-at-Arms be instructed to escort Mr. Bernie Bierman to the rostrum at this time.

Which motion prevailed.

Senator Gilbertson made a motion that the Governor's Message be printed in the Senate Journal, which motion prevailed.

The Senate returned to the 5th Order of Business.

REPORT OF STANDING COMMITTEES

January 23, 1939.

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

Senate Concurrent Resolution No. 17: Relating to Fuel Briquettes to be Made From Straw.

Senate Concurrent Resolution No. 18: Memorializing Congress to Pass the Townsend Recovery Plan.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 49, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 23, 1939. Mr. President: I have the honor to transmit herewith

the following: House Concurrent Resolution No. 80. A Concurrent Resolution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anni-

For your signature.

versary of the Statehood of the State of North Dakota.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE BILLS

The Committee on Public Safety introduced:

Senate Bill No. 57. A Bill for an Act Relating to the Licensing of Persons Operating Motor Vehicles Upon Highways and to Make Uniform the Law Relating Thereto.

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

Senators Guenther, Watt, Flatt and Lavik introduced:

Senate Bill No. 58. A Bill for an Act to Impose a Tax Upon Dogs, and Coyotes or Wolves Kept as Domestic Animals, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs, and Coyotes or Wolves Kept as Domestic Animals 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, and Coyotes or Wolves Kept as Domestic Animals; Providing for the Killing of Dogs, and Coyotes and Wolves Kept as Domestic Animals, 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 first time and referred to the Committee on Agriculture and Livestock.

Senators Gilbertson, Tweten, Hill and Dahl introduced:

Senate Bill No. 59. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 23, 1939.

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

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

House Concurrent Resolution No. 83. A Concurrent Resolution Memorializing Congress to Make Appropriation for WPA Purposes and That Congress do Not Enact Any Law Curtailing WPA Activities.

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

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Aandahl	the affirmative were: Guenther	Olson Mallonny
		Olson, McHenry
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lavik	Topp
Dahl	Lemke	Trout
Drew	Leum	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		

Those voting in the negative were: Olson, Mountrail Owings

Streibel

Absent and not voting: Bilden Braun

Lian

So the bill passed and the title was agreed to. Senator Guthrie requested that the Senate return to the 7th Order of Business, which request was granted.

Senator Guthrie moved that Senate Bill No. 30 be rereferred to the Committee on Judiciary, as there is a bill of similar nature being acted on in the House today, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 22. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher

MONDAY, JANUARY 23, 1939

Bridston	Lemke	Thorson
Dahl	Leum	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gilbertson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young
Guenther		

Absent and not voting: Bilden Braun

Lian

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 5 and Section 9 of Chapter 4 of the Session Laws 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, 44; nays, 2; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Beaton	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Those voting in the negative were: Aasen Watt

Absent and not voting:

Bilden

Lian

Braun So the bill passed and the title was agreed to.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3790 of the Compiled Laws of the State of North Dakota for the Year 1913 With Reference to Boards of City Commissioners and Salaries Paid 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, 46; nays, 0; absent and not voting, 3.

Those voting	in the affirmative	were:
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko

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Holl

Isaak

Lavik

Lemke

Leum

Kamrath

Magoffin

Morrison

Morgan

Beaton
Blank
Blaisdell
Brant
Bridston
Dahl
Drew
Flatt
Fowler
Fredrickson
Gilbertson
Greiser
Gronvold
Guenther

Bilden

Skarvold Streibel Stucke Thatcher Thorson Topp Trout Troxel **T**weten Nelson, Grand Fks. Watt Nelson, McKenzie Whelan Wog Olson, McHenry Olson, Mountrail Young

Absent and not voting:

Braun Lian

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

SECOND READING OF HOUSE BILLS

Senator Drew moved that House Bill No. 56 be amended as follows: In Section 2, line 10, of the printed bill after the word "upon" insert the words "all taxable real property in," which motion prevailed.

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

the affirmative were:	
Gilbertson	Nelson, McKenzie
Greiser	Olson, McHenry
Gronvold	Owings
Guenther	Raschko
Guthrie	Thorson
Hill	Topp
Holl	Trout
Lavik	Troxel
Leum	Watt
Magoffin	Whelan
Morgan	Wog
Nelson, Grand Fks.	Young
	Gilbertson Greiser Gronvold Guenther Guthrie Hill Holl Lavik Leum Magoffin Morgan

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Those voting in the	ne negative were:	
Isaak	Olson, Mountrail	Stucke
Kamrath	Skarvold	Thatcher
Lemke	Streibel	Tweten
Morrison		

Braun

Absent and not voting:

Bilden

Lian

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The President announced that the Senate would be on the 7th Order of Business.

House Concurrent Resolution No. 83. A Concurrent Resolution Memorializing Congress to Make Appropriation for WPA Purposes and That Congress do Not Enact Any Law Curtailing WPA Activities.

Referred to the Committee on Public Welfare.

The President announced that the Senate would be on the 5th Order of Business.

REPORT OF STANDING COMMITTEES

January 23, 1939.

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

Senate Concurrent Resolution No. 20. Establishment of Prices on Farm Products Equal to the Cost of Production.

Senate Concurrent Resolution No. 31. Establishment of Work Projects.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 80. A Concurrent Resolution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anniversary of the Statehood of the State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

- Senate Concurrent Resolution No. 18. Memorializing Congress to Pass the Townsend Recovery Plan.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 17. Relating to Fuel Briquettes to Be Made from Straw.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 20. A Concurrent Resolution for the Establishment of Prices on Farm Products Equal to the Cost of Production. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 31. A Concurrent Resolution Relating to Establishment of Work Projects.

And the President signed the same in the presence of the Senate.

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

WM. J. LOWE, Secretary.

TWENTY-SECOND DAY

Bismarck, January 24, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. A. R. Henry.

Roll Call: All Senators present except Braun and Lian.

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

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

On Page 112, add before the adjournment motion, the following:

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 20. A Concurrent Resolution for the Establishment of Prices on Farm Products Equal to the Cost of Production.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 31. A Concurrent Resolution Relating to Establishment of Work Projects.

And the President signed the same in the presence of the Senate.

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 24, 1939. Mr. Speaker: I have the honor to transmit herewith the following resolutions:

Senate Concurrent Resolution No. 31. Urging Congress of the United States to Establish Work Projects for Farmers.

Senate Concurrent Resolution No. 20. Memorializing Congress for Establishment of Prices on Farm Products Equal to the Cost of Production.

Senate Concurrent Resolution No. 17. Relating to Fuel Briquettes to Be Made from Straw.

Senate Concurrent Resolution No. 18. Memorializing Congress to Pass the Townsend Recovery Plan.

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

WM. J. LOWE, Secretary.

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

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3790 of the Compiled Laws of the State of North Dakota for the Year 1913 With Reference to Boards of City Commissioners and Salaries Paid Thereto.

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Waters, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

Which the Senate has amended as follows:

Line 3, Section 1, after the word "ten," strike out the words

"legal voters" and insert the words "free holders." In Section 2, line 10, of the printed bill after the word "upon," insert the words "all taxable real property in."

WM. J. LOWE, Secretary.

Senate Chamber,

Bismarck, January 24, 1939.

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

House Concurrent Resolution No. 80. A Concurrent Resolution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anniversary of the Statehood of the State of North Dakota.

Which the President has signed.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Blaisdell presented a resolution from the Sawyer Society of Minutemen opposing any increase in the gas tax and opposing the elimination of the gas tax refund. Referred to the Committee on Taxes and Tax Laws.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Concurrent Resolution No. 42. Re-establishing and

Re-habilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

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

In line 4 of the title, strike out the word "enacted" and insert in lieu thereof, the word "resolved."

In line 26, strike out the word "Senate," and insert in lieu thereof, "Legislative Assembly."

And when so amended, recommend the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

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

That the following clause be added to the title:

"Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring."

And when so amended, recommend the same do pass.

HERMAN THORSON, Chairman.

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

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

Senate Concurrent Resolution No. 21. Requesting Congress to Include "Cost of Production" in Soil Conservation Act, Together With Its Insurance Features.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 53, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 24, 1939.

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

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders or Livestock Owners in Such Townships, Fixing Penalty for Violation, and Declaring an Emergency. Which the House has passed and your favorable consideration is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 51, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Senator Blaisdell moved that the vote by which the report of the Committee on State Affairs on House Bill No. 51 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Trout and Whelan introduced:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

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

FIRST READING OF SENATE BILLS

The Committee on Military and Indian Affairs introduced: Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and 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 Military and Indian Affairs.

The Committee on State Affairs introduced:

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as

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Regards Such Inspection and Providing Penalties for Violation of the Act.

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

The Committee on State Affairs introduced:

Senate Bill No. 62. A Bill for an Act to Amend and Reenact Section 2, of Chapter 177, Laws of North Dakota for 1927, as Amended by Chapter 146, Laws of North Dakota for 1935, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

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

Senators Trout, Guenther, Dahl, and Olson of Mountrail introduced:

Senate Bill No. 63. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possession, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City or Village of the State Having a Population of Two Hundred or More; the Levy and Collection of a State Tax Thereon; the Duties of the State Tax Commissioner; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of This Act.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

Was read the second time.

Morgan

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Those voting in	the affirmative were:	
Aandahl	Guenther	Raschko
Aasen	Guthrie	Skarvold
Blank	Hill	Stucke
Blaisdell	Holl	Thatcher
Bridston	Isaak	Thorson
Dahl	Kamrath	Topp
Drew	Lavik	Trout
Flatt	Lemke	Troxel
Fowler	Leum	Tweten
Fredrickson	Magoffin	Whelan
Gilbertson	Morrison	Wog
Greiser	Nelson, Grand Fks.	Young
Gronvold		
Those voting in	the negative were:	
Beaton	Nelson, McKenzie	Owings
Bilden	Olson, McHenry	Streibel
Brant	Olson, Mountrail	Watt
	· · · · · · · · · · · · · · · · · · ·	

Absent and not voting:

Braun Lian

So the bill passed and the title was agreed to.

Senator Gronvold moved that the vote by which Senate Bill No. 49 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders or Livestock Owners in Such Townships, Fixing Penalty for Violation, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 21. Requesting Congress to Include "Cost of Production" in Soil Conservation Act, Together With Its Insurance Features.

And the President signed the same in the presence of the Senate.

On the request of Senator Watt, the Senate returned to the 7th Order of Business.

Senator Watt moved that tomorrow being the 25th of January and the birthday of Robert Burns that we have an address on Burns as a special order of business at 3:00 P. M., Wednesday, which motion prevailed.

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

WM. J. LOWE, Secretary.

TWENTY-THIRD DAY

Bismarck, January 25, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Mr. A. R. Henry.

Roll Call: All Senators present except Braun, Fredrickson, Gilbertson and Lian.

The Committee on Revision and Correction of the Journal

made the following report: Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-second day and found the same correct.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber.

Bismarck, January 25, 1939.

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

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

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

Senate Concurrent Resolution No. 21. Requesting Congress to Include "Cost of Production" in Soil Conservation Act, Together With Its Insurance Features.

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

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

A communication was received from the County Auditor of Eddy County opposing the cancellation of back taxes.

Referred to the Committee on Taxes and Tax Laws.

Senator Holl presented two resolutions from the Williston Township Farmers Union Local 404 (1) opposing any legislation doing away with the tax refund on gasoline used for agricultural purposes.

Referred to the Committee on Taxes and Tax Laws.

And (2) requesting an appropriation of \$8,699 for operation of Experiment and Irrigation Station at Williston.

Referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Concurrent Resolution No. 42. Re-establishing and Re-habilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same do pass. B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same do pass.

FRED J. FREDRICKSON, Chairman.

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

Senator Blaisdell moved that consideration of Senate Bill No. 53 be laid over one day. Which motion prevailed.

Senator Gronvold moved that the absent Senators be excused. Which motion prevailed.

Senator Hill moved that Senate Bill No. 55 be withdrawn from consideration by the Committee on Counties and rereferred to the Committee on Judiciary, due to the absence of Senator Braun. Which motion prevailed.

Senator Fowler moved that Senate Concurrent Resolution No. 42 be adopted. Which motion prevailed.

Senator Thorson moved that Senate Concurrent Resolution No. 44 be adopted. Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 25, 1939.

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

Senate Bill No. 13. A Bill for an Act to Amend and Re-

enact Section 4141 of the Compiled Laws of North Dakota for 1913, Relating to the Organization for the Annual or Special Township Meetings.

Which the House has indefinitely postponed.

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

Which the House has passed unchanged.

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

Senate Concurrent Resolution No. 31. Urging Congress of the United States to Establish Work Projects for Farmers.

Senate Concurrent Resolution No. 17. Relating to Fuel Briquettes to Be Made from Straw.

Senate Concurrent Resolution No. 18. Memorializing Congress to Pass the Townsend Recovery Plan.

Senate Concurrent Resolution No. 20. Memorializing Congress for Establishment of Prices on Farm Products Equal to the Cost of Production.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 52. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937, 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, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

THOSE FOUND IN	the diffindence were.	
Aandahl	Guenther	Raschko
Aasen	Guthrie	Skarvold
Beaton	Hill	Streibel
Blaisdell	Lavik	Topp
Brant	Leum	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Watt
Flatt	Nelson, Grand Fks.	Whelan
Fowler	Olson, Mountrail	Wog
Gronvold	Owings	Young

Those voting in the negative were:

Bilden	Isaak	Olson, McHenry
Blank	Kamrath	Stucke
Bridston	Lemke	Thatcher
Greiser	Morrison	Thorson
Holl	Nelson, McKenzie	Tweten

Absent and not voting:

Lian

Fredrickson

Braun

So the bill passed and the title was agreed to.

Gilbertson

Senator Watt 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.

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Raschko
Aasen	Hill	Skarvold
Beaton	Holl	Streibel
Bilden	Isaak	Stucke
Blank	Kamrath	Thatcher
Blaisdell	Lavik	Thorson
Brant	Lemke	Topp
Bridston	Leum	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Nelson, Grand Fks.	Watt
Fowler	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young
Guenther	Owings	

Those voting in the negative were: Morrison

Absent and not voting:

Braun Gilbertson Lian Fredrickson

So the bill passed and the title was agreed to.

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

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Those voting in the affirmative were: Aandahl Holl

Aandahl	Holl	Owings
Aasen	Isaak	Raschko
Beaton	Kamrath	Skarvold
Bilden	Lavik	Streibel

WEDNESDAY, JANUARY 25, 1939

Blaisdell	Lemke	Stucke
Brant	Leum	Thorson
Dahl	Magoffin	Topp
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Hill	Olson, Mountrail	Young

Those voting in the negative were:

Drew	Thatcher
Guthrie	Trout

Absent and not voting:

Braun Gilbertson Lian Fredrickson

So the bill passed and the title was agreed to.

Senator Blaisdell moved that the vote by which House Bill No. 51 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Watt moved that the Senate do now recess until 3:00 P. M., which motion prevailed.

The Senate re-convened at 3:00 P. M., pursuant to recess taken, for the purpose of holding a Robert Burns program, the members of the House of Representatives attending.

The President of the Senate: I had intended calling Senator Watt to the rostrum immediately after recess, but the Senator isn't here just now, so I will just mention that we are holding a Bobby Burns service. We know how these different nationalities stick together, and it seems that Senator Watt is of the same nationality as the illustrious poet. The Senator was very glad to arrange this program, and we were very glad to have him do so. We hope you will enjoy it and not walk out as Senator Watt did at a meeting last night. I suppose I should not tell you about this, but I will, as the Senator is not here at this time and I do not want his constituents to think the Senator failed in his duty as a Senator. But last night the Senator walked into a local hotel where he stays and found a group of the guests talking about some evils that should be done away with. They were planning on forming an organization to accomplish their purpose. Senator Watt had just come in from an appropriation meeting and went over to see about the bill they were trying to get. They told him they were having an organization meeting and one of them said, "Senator Watt, do you want to join this organization?" He said, "What for?" The chairman told him it was an organization to abolish tips. The Senator asked how much it was going to cost and the chairman said they were going to make the dues 25c a year. Senator Watt said, "Good Lord, I might as well go on giving tips!"

I see that Senator Watt is here now. Senator Watt, will you kindly come up and take the chair?

Senator Watt appointed Senator Guthrie to escort Mr. Henry Klein to the rostrum.

Senator Guthrie introduced Mr. Klein who gave an ad-dress on the life of Robert Burns. Senator Watt introduced Representative Rait of Burke and Divide counties who gave a Burns recitation. Senator Guthrie gave the recitation "John Anderson My Jo" after which Senator Watt announced that the program was completed was completed.

Senator Olson of Mountain adjourn, which motion prevailed. WM. J. LOWE, Secretary. Senator Olson of Mountrail moved that the Senate do now

TWENTY-FOURTH DAY

Bismarck, January 26, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Mr. A. R. Henry. Roll Call: All Senators present except Braun.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-third day and found the same correct.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 26, 1939.

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

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Senate Bill No. 52. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Concurrent Resolution No. 42. Re-establishing and Re-habilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

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

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

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Nelson, of McKenzie county, presented two resolutions from the McKenzie County Commissioners urging (1) support of irrigation and water conservation and asking an appropriation of \$285,000 for same.

Referred to the Committee on Appropriations.

And (2) requesting an appropriation to make the Yellowstone River Bridge in McKenzie county a free bridge.

Referred to the Committee on Appropriations.

Senator Brant presented a resolution from the Parent Teachers Society of Braddock urging an appropriation of at least \$6,000,000 of state money for the next biennium to be used for the support of our free public schools.

Referred to the Committee on Education .

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 54.

Have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 53.

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

In line 15 after the word "trees" strike out the period and insert a semi-colon and add the following "provided, further, that whoever is entitled to receive a bounty under existing law shall continue to receive such bounty notwithstanding the provisions of this Act."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

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

Senate Bill No. 47. 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-fifth 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 amended as follows:

In line 1 of Section 2 after the word "emergency" strike out the balance of line 1 and lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and line 13 up to and including the comma following the word "due."

Capitalize the letter "T" in the word "this" in line 13.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution No. 17.

Introduced by Senators Nelson (from McKenzie), Skarvold, and Thorson.

Relating to Fuel Briquettes to be Made From Straw.

Also, Senate Concurrent Resolution No. 18.

Introduced by Senators Tweten, Olson of Mountrail, and Blank.

Townsend Recovery Plan.

Also, Senate Concurrent Resolution No. 20.

Introduced by Senators Stucke, Owings, Thatcher, and Streibel.

Establishment of Prices on Farm Products Equal to the Cost of Production.

Also, Senate Concurrent Resolution No. 31.

Introduced by Senators Young, Owings, and Guenther. Establishment of Work Projects.

Were delivered to the Secretary of State at the hour of 2:10 o'clock P. M., January 26, 1939.

W. J. TROUT, Chairman.

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

Senator Guthrie moved that consideration of Senate Bill No. 11 be laid over one day, until the Senate ascertain what action is taken in the House today on an identical bill, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 24, 1939.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to: House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE BILLS

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 65. A Bill for an Act Levying and Imposing a Tax to Carry Out the Provisions of That Certain Initiated Measure Adopted at the General Election November 8, 1938, Entitled "An Act Amending and Re-enacting Section 3 of Chapter 211 of the Session Laws of North Dakota for 1937, and Providing That the Amount of Assistance Which Any Person Shall Receive Shall be Sufficient When Added to All Other Income of Recipient to Provide Such Person With a Reasonable Subsistence Compatible With Decency and Health But Shall Not be Less Than a Minimum of Forty Dollars (\$40.00) Per Month Except That it Shall Not be Less than a Minimum of Thirty Dollars (\$30.00) Per Month for Each Recipient Where There Is More Than One Recipient in a Family and Each County Shall Reimburse the State Agency for Fifteen Per Cent of the Amount Expended for Such Assistance in Such County in Excess of the Amount Provided by the Federal Government and Repealing All Acts and Parts of Acts in Conflict Herewith"; Providing That All Funds Derived From Such Tax Shall be Paid Into the State Treasury and Shall be Deposited in the State Public Welfare Fund in Said Treasury and Disbursed by the Public Welfare Board of North Dakota as Provided by Law; and Providing for the Submission of This Act to a Vote of the Electors of the State of North Dakota for Their Approval or Rejection and Providing That If This Act Is Rejected at Such Election it Shall be of No Force or Effect.

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

The Committee on Appropriations introduced:

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

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

Committee on Insurance introduced:

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

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

Committee on Insurance introduced:

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 53. A Bill for an Act to Repeal Section 1796a5 of the Supplement to the Compiled Laws of 1913, Relating to the Appropriation for the Annual Encampment of the Grand Army of the Republic.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill. The roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser Gronvold	Nelson, McKenzie	Young

Absent and not voting:

Braun

Trout

So the bill passed and the title was agreed to.

Thatcher

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, Jan. 26, 1939.

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

Senate Concurrent Resolution No. 21. Requesting Congress to Include "Cost of Production" in Soil Conservation Act, Together With Its Insurance Features.

Which the Speaker has signed.

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

House Bill No. 72. A Bill for an Act to Repeal Section 3080a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

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

Mr. President: I have the honor to transmit herewith: House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

For your signature.

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

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Senator Fowler moved the following Amendment to Senate Bill No. 35:

"Strike out all of line 39, on page 3 of the printed bill and change the numbering of the lines accordingly."

Which motion prevailed.

Senator Fowler moved that the rules be suspended and Senate Bill No. 35 be considered properly engrossed and that Senate Bill No. 35 be placed upon second reading and final passage.

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Was read the second time.

ROLL CALL

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

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten

Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	2000 C. 2010 C. 2010 C. 2010 C. 2010	

Those voting in the negative were: Stucke

Absent and not voting: Braun Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Charter of the Investment.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Braun Thatcher

So the bill passed and the title was agreed to.

Senator Morrison requested that the Senate be on the 7th Order of Business, which request was granted.

Senator Morrison introduced Professor Totdahl and the school children of Steele, North Dakota, who were given the courtesy of the floor.

FIRST READING OF HOUSE BILLS

House Bill No. 72. A Bill for an Act to Repeal Section 3080a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

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

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

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

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

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

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prioa to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

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

WM. J. LOWE, Secretary.

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TWENTY-FIFTH DAY

Bismarck, January 27, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. Wm. Lemke.

Roll Call: All Senators present except Gilbertson.

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

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

On page 125, strike out the messaging to the House of Senate Bill No. 27.

On page 128, 4th line from the bottom of the page, change the word "Insurance" to "Appropriations."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, N. D., January 27, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939 and Declaring an Emergency. Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53. A Bill for an Act to Repeal Section 1796a5 of the Supplement to the Compiled Laws of 1913, Relating to the Appropriation for the Annual Encampment of the Grand Army of the Republic.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

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

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 27, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

Which the House has passed unchanged.

Senate Concurrent Resolution No. 24. Urging the Estab-

lishment of a Division of Co-operatives in the Department of Agriculture.

Which the House has adopted.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

House Concurrent Resolution No. 135. Relating to Sending Money to Washington for the Use of the Bank of North Dakota.

House Bill No. 89. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

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

In line 70 following the word "higher" insert the following "than zero degrees F." Also in line 90 after the word "labeled" insert the following "in the manner provided by regulations issued by the commissioner."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman. Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Concurrent Resolution No. 64.

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

M. R. YOUNG, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 21. A Concurrent Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

Was delivered to the Secretary of State at the hour of 2:15 o'clock P. M., January 27, 1939.

W. J. TROUT, Chairman.

Senator Gronvold moved the absent Senator be excused, which motion prevailed.

Senator Aasen moved that Senate Bill No. 11 which is on today's calendar, be re-referred to the Committee on Elections for amendment, which motion prevailed.

The President announced that the Clerk would read House Concurrent Resolution No. 135 and he advised that it has to do with a large amount of money that will be coming into North Dakota. The Bank of North Dakota would like to have it in Washington not later than Monday. They have asked for prompt action on this as it means a difference of between \$10,000 and \$60,000 for Soil Conservation Payments.

Senator Fowler moved that the rules be suspended and that House Concurrent Resolution No. 135 be adopted, which motion prevailed and House Concurrent Resolution No. 135 was unanimously adopted.

The President announced that we would be on the 9th Order of Business for the reading of House Concurrent Resolution No. 91.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, N. D., January 27, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

For your signature.

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939 and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

House Concurrent Resolution No. 114 was read for the first time and referred to the Committee on State Affairs.

Senators Morrison and Young introduced:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

Was read the first time and referred to the Committee on Agriculture and Livestock.

FIRST READING OF SENATE BILLS Senator Holl introduced:

Senate Bill No. 70. A Bill for an Act to Repeal Chapter 121 of the Session Laws of the State of North Dakota for the Year 1931 Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance, and Declaring an Emergency Exists.

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

Senators Brant and Dahl introduced:

Senate Bill No. 71. A Bill for an Act to Amend and Reenact Section 4 of Chapter 249 of the Session Laws of 1937, Providing for Certain Credits and Exemptions and Providing for Payment of a Sales Tax on Sales of Motor Vehicle Fuels Upon Which Refunds of Special Taxes are Allowed, and Declaring an Emergency.

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

Senators Bridston and Nelson of Grand Forks introduced:

Senate Bill No. 72. 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.

Senators Leum and Blaisdell introduced:

Senate Bill No. 73. A Bill for an Act to Amend and Reenact Section 29 of Chapter 179 of the Session Laws of 1927 as Amended by Chapter 165 of the Session Laws of 1929 and Chapter 186 of the Session Laws of 1931, Relating to When Fees on Motor Vehicles Become Delinquent, Providing Penalties, Providing for the Collection Thereof, and Declaring an Emergency.

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

Senators Aasen, Guthrie, Nelson of Grand Forks, Fowler and Gronvold introduced:

Senate Bill No. 74. 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.

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

Senators Wog and Fowler introduced:

Senate Bill No. 75. A Bill for an Act to Amend and Reenact Section 3 of Paragraph 8540 of the Compiled Laws of the State of North Dakota for 1913, Relative to the Recording of Certain Instruments in the Records of County Courts.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 47. 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-fifth 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, 48; nays, 0; absent and not voting, 1.

affirmative were:	
Guenther	Olson, Mountrail
Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Thorson
Leum	Topp
Lian	Trout
Magoffin	Troxel
Morgan	Tweten
Morrison	Watt
Nelson, Grand Fks.	Whelan
Nelson, McKenzie	Wog
Olson, McHenry	Young
	Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Absent and not voting:

Gilbertson

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

FIRST READING OF HOUSE BILLS

House Bill No. 89. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

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

SECOND READING OF HOUSE BILLS

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; 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, 48; nays, 0; absent and not voting, 1.

Those voting in	n the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Gilbertson

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939 and Declaring an Emergency.

Was delivered to the Governor for his approval at the hour of 2:45 o'clock P. M., January 27, 1939. W. J. TROUT, Chairman.

SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke

Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Gilbertson

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

Senator Aandahl moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The President announced that the Senate would be on the 5th Order of Business.

REPORT OF STANDING COMMITTEES

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

Senate Bill No. 36. A Bill for an Act to Amend and Reenact Section 2078 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 230, Session Laws of 1929, Relating to Exemption from Taxation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

And the President signed the same in the presence of the Senate.

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

WM. J. LOWE, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 28, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. Wm. Lemke.

Roll Call: All Senators present except Blank, Greiser, Isaak, Leum and Wog.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-fifth day and found the same correct.

C. C. MORRISON, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, N. D., Jan. 28, 1939. Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

Which the President has signed.

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

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

Which the Senate has amended as follows:

In line 15 of the original bill, after the word "trees," strike out the period and insert a semi-colon and add the following: "Provided, further, that whoever is entitled to receive a bounty under existing law shall continue to receive such bounty notwithstanding the provisions of this Act."

WM. J. LOWE, Secretary.

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

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

House Concurrent Resolution No. 135. Relating to Send-

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ing Money to Washington for the Use of the Bank of North Dakota.

Which the Senate has passed unchanged.

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

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

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

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

Senate Bill No. 47. 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-fifth 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.

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 28, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 14. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

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House Bill No. 55. A Bill for an Act to Amend Chapter 269 of the Session Laws of the State of North Dakota for the Year 1935.

House Bill No. 78. A Bill for an Act Declaring to Be Common Nuisances any Building, Place, or Room, Where Intoxicating Liquors Are Sold, Bartered, or Furnished in Violation of Law, and Prescribing Remedies and Penalties for the Prevention of the Same, and Evidence Admissible.

House Concurrent Resolution No. 94.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution No. 114, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

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

FIRST READING OF SENATE RESOLUTIONS

Senators Skarvold, Lavik, Thorson and Trout introduced: Senate Resolution B. A Resolution Memorializing Congress and the President of the United States to Lift Embargo on Merchandise to Loyalist Spain.

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

The Committee on Agriculture and Livestock introduced: Senate Resolution C. A Resolution Relating to the Eradi-

cation of Grasshoppers by Arsenic Poison. Was read the first time and referred to the Committee on

Agriculture and Livestock.

SECOND READING OF CONCURRENT RESOLUTIONS Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

Senator Whelan moved the adoption of Senate Concurrent Resolution No. 64, which motion prevailed.

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

Senator Fowler moved the adoption of House Concurrent Resolution No. 114, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Tax and Tax Laws introduced:

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

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

Senator Blaisdell introduced:

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

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

Senators Young, Hill, Olson of Mountrail, and Morrison introduced:

Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

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

The Committee on Agriculture and Livestock introduced:

Senate Bill No. 79. A Bill for an Act Providing for the Closing of the Hunting Season and Prohibiting all Hunting of Upland Game Birds Until the Opening of the Hunting Season in the Year 1942; Providing a Penalty for Violation of the Provisions Hereof.

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

Senators Owings, Skarvold, Streibel, Nelson of McKenzie and Olson of Mountrail introduced:

Senate Bill No. 80. A Bill for an Act Amending and Reenacting Section 1 of Chapter 241 of the Session Laws of North Dakota for 1937 Imposing a Tax Upon the Net Income of Residents of North Dakota and Fixing the Rate of Such Tax; and Section 5 of Chapter 241 of the Session Laws of North Dakota for 1937 Levying an Annual Tax Upon the Net Income of Every Domestic and Every Foreign Corporation, and Fixing the Rate of Such Tax. Was read the first time and referred to the Committee on Taxes and Tax Laws.

SECOND READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

e annihative were.	
Guenther	Olson, Mountrail
Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Kamrath	Streibel
Lavik	Stucke
Lemke	Thatcher
Lian	Topp
Magoffin	Trout
Morgan	Troxel
Morrison	Tweten
Nelson, Grand Fks.	Watt
Nelson, McKenzie	Whelan
Olson, McHenry	Young
	Guenther Guthrie Hill Holl Kamrath Lavik Lemke Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Those voting in the negative were: Thorson

Absent and n	ot voting:	
Blank	Greiser	Leum
Flatt	Isaak	Wog
		Contract of the state of the state of

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, N. D., January 28, 1939.

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

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Bill No. 55. A Bill for an Act to Amend Chapter 269 of the Session Laws of the State of North Dakota for the Year 1935.

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

House Bill No. 78. A Bill for an Act Declaring to Be Common Nuisances any Building, Place, or Room, Where Intoxicating Liquors Are Sold, Bartered, or Furnished in Violation of Law, and Prescribing Remedies and Penalties for the Prevention of the Same, and Evidence Admissible.

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

The President announced that the Senate would be on the 7th order of business.

Senator Fowler moved that House Resolutions be read for the first time by title only and then referred to proper committee, which motion prevailed.

House Concurrent Resolution No. 94. 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 General Relief Emergency for December, 1938, and January and February, 1939.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

And the President signed the same in the presence of the Senate.

Senator Thatcher requested that the Senate return to the seventh order of business, which request was granted.

Senator Thatcher moved that the omitted changes and revisions of the Senate rules be printed in sticker form and inserted in the rule books, which motion prevailed.

The President announced that the Senate would be on the fifth order of business.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

Was delivered to the Secretary of State at the hour of 2:50 o'clock, P. M.

W. J. TROUT, Chairman.

FIRST READING OF SENATE BILLS

Senators Nelson of Grand Forks, Morrison, Thatcher, Lian and Braun introduced:

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Senate Bill No. 81. A Bill for an Act to Promote the Organization of Trade Groups for the Purpose of Co-operative Action Among Such Trade Groups; Empowering the Securities Commission to Investigate and Prescribe Reasonable Codes and Standards of Fair Competition; to Provide for Assessments to Defray the Cost of Investigation; Administration and Enforcement of the Act; Providing Penalties; Providing for the Severability of the Act; Repealing All Acts and Parts of Acts in Conflict Herewith; Limiting the Duration of the Act.

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

Senator Magoffin introduced:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, Relating to Park District Tax Levies.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 28, 1939.

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

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

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

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

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

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

WM. J. LOWE, Secretary.

Senator Blaisdell moved that the Senate recess to the call of the Chair, which motion prevailed.

The Senate reconvened at the expiration of the recess, upon the call of the Chair.

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

WM. J. LOWE, Secretary.

TWENTY-EIGHTH DAY

Bismarck, January 30, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Mr. Wm. Lemke.

Roll call: All Senators present.

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

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

On page 141, line 32, after the word "Emergency" strike out the period; insert a common in lieu thereof and add the words, which the Senate has amended as follows:

"In line 15 of the original bill after the word "trees" strike out the period and insert a semi-colon and add the following "Provided, further, that whoever is entitled to receive a bounty under existing law shall continue to receive such bounty notwithstanding the provisions of this Act."

On page 143, line 19, after the word "Committee," insert the words "on Appropriations."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

The following communication was read by the Secretary:

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

January 30, 1939.

To the President and Members of the Senate, 26th Legislative Assembly, Bismarck, North Dakota Gentlemen:

For the information of the Senate, I respectfully submit herewith a copy of the report of Special State Examiner Clyde Duffy, being the result of his examination of the State Hospital for the Insane at Jamestown.

Respectfully submitted, JOHN MOSES, Governor.

JM:B

Senator Blaisdell moved that any action on the report of Special State Examiner Clyde Duffy of his examination of the State Hospital for the Insane, be delayed pending the printing of this report in the House Journal, which will be available to all the Senators tomorrow morning, and which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Olson of Mountrail presented a petition from 33 citizens of Sanish urging passage of House Bill No. 113. Referred to the Committee on Public Welfare.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 30, 1939.

Mr. Speaker: I have the honor to return herewith: House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

Which the Senate has passed unchanged.

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

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

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

WM. J. LOWE, Secretary.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 59 have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted.

Senator Gilbertson made a substitute motion that Senate Bill No. 59 be re-referred to the Committee on Judiciary, which motion prevailed.

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

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder and Declaring an Emergency.

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

Amend the title of the Act by striking out everything in the title after the words "An Act" and inserting in lieu thereof the following: "to amend and re-enact Sections 1 and 2 of Chapter 195, Session Laws for the year 1935 as amended by Chapter 176 of the Session Laws of 1937 and amending Section 5 of Chapter 195 of the Session Laws of the year 1935, relating to funding and refunding existing indebtedness of municipalities, validating proceedings thereunder and declaring an emergency."

In line 20 after the number "2" insert the letter "a" in parenthesis.

In line 51 strike out all of line 51, all of line 52, all of line 53, all of line 54 and strike out in line 55 the figure "4" and the letter "a" and insert in lieu the letter "b" in parenthesis.

Change in line 62 the figure "4" to "3".

In line 81 after the figures "1927" strike out the period and insert a semi-colon, and the following language: "Provided, further, that it shall be unlawful for any municipality as herein defined, or for the governing body thereof, to issue any bonds for any purpose under this Act without first being authorized so to do by a vote of the qualified electors of such municipality, which election shall be held and conducted as provided in Chapter 196 of the Session Laws of 1927 or Acts amendatory thereof, excepting, however, that this proviso shall not apply to refunding bonds which have been contracted to be sold by any such municipality prior to January 1, 1939."

In line 58 after the word "less" insert the following: "In annual installments of not less than 5 per cent of the principal amount of the bond issue."

In line 96 change the figure "5" to "4" and in line 102 change the figure "6" to "5".

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred:

House Concurrent Resolution No. 94. A Resolution 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 General Relief Emergency for December, 1938 and January and February, 1939.

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

In line 18, after the word "of," insert the following: "not to exceed the sum appropriated by this Legislative Assembly for this emergency but in no event to exceed the sum of."

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred:

House Concurrent Resolution No. 83.

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

G. F. DREW, Chairman.

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

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Mr. President: Your Committee on Military and Indian Affairs to whom was referred:

Senate Bill No. 60.

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

J. L. FLATT, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 30, 1939.

Mr. President: I have the honor to transmit: House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for

the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

For your signature.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 44. A Concurrent Resolution Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

Senate Concurrent Resolution No. 42. A Concurrent Resolution for Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the Department of Public Health.

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 266 of the Session Laws of 1927 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

House Bill No. 85. A Bill for an Act to Amend and Re-

enact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Holl and Trout introduced:

Senate Bill No. 83. A Bill for an Act to Amend and Reenact Section 5, of Chapter 276, Providing for the Compromise of Unpaid Taxes on Real Estate or Personal Property Sold to the County; Providing Manner of Payment of Compromised Amount; Prescribing Rate of Interest on Unpaid Balance of Compromised Amount; Providing for Withdrawal of Approval of Compromise Abatement; Providing for Suspension of Tax Collection Remedies; Providing for Enforcement of Contract; and Declaring an Emergency.

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

Senator Troxel introduced:

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Guthrie introduced:

Senate Bill No. 85. A Bill for an Act to Provide Improved Protection of the Public Health Through Regulation of Slaughterhouses and Meat Markets; Providing for Licensing of the Same; Regulating the Slaughtering of Animals for Food; Providing for Registration of Competent Slaughterers; Authorizing a System of Marking Carcasses of Animals Slaughtered Under Proper Conditions by Competent Slaughterers; Granting Exemptions to Farmers and for Other Purposes.

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

Senator Guthrie introduced:

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

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

Senator Guthrie introduced:

Senate Bill No. 87. A Bill for an Act Making an Appropriation for the Care of Tubercular Patients at the State Tuberculosis Sanitarium Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State. Effective November 1, 1937, and Declaring an Emergency.

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

Senator Troxel requested that the Senate be on the Seventh Order of Business, which request was granted.

Senator Troxel moved that Senate Bill No. 84 be referred to the Committee on Agriculture and Livestock instead of the Committee on Highways, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

Bismarck, January 30, 1939.

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

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

For your signature.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

Was delivered to the Governor at the hour of 2:30 P. M., January 30, 1939.

W. J. TROUT, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

Was delivered to the Secretary of State at the hour of 2:30 P. M., January 30, 1939.

W. J. TROUT, Chairman.

FIRST READING OF HOUSE BILLS

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the Department of Public Health.

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

House Bill No. 11. 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 Public Health.

House Bill No. 12. 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 Public Health.

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 266 of the Session Laws of 1927 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

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

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

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

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency. Was read the first time and referred to the Committee on Taxes and Tax Laws.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Thatcher moved that the Senate recess to the call of the Chair, which motion prevailed.

The Senate reconvened at the expiration of the recess, at the call of the Chair.

The President announced that the Senate would be on the Eleventh Order of Business.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 30, 1939.

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

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

FIRST READING OF SENATE BILLS

Committee on State Affairs introduced:

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

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

The President announced that the Senate would return to the Fifth Order of Business.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 76, have had the same under consideration and recommend that the same do pass. A. W. FOWLER, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 48, have had the same under consideration and return the same without recommendations.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted. Senator Watt made a substitute motion that Senate Bill

No. 48 be indefinitely postponed, which motion lost. Senator Whelan made a substitute motion that Senate Bill No. 48 be re-referred to the Committee on Taxes and Tax Laws in order to amend same, as outlined by the Senate body, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 30, 1939.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 53.

MINNIE D. CRAIG, Chief Clerk. Senator Gilbertson moved that the Senate do now adjourn, which motion prevailed.

WM. J. LOWE, Secretary.

TWENTY-NINTH DAY

Bismarck, January 31, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. H. G. Bens.

Roll Call: All Senators present except Braun.

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

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

On page 151, in the 3rd line from the bottom, and the 11th line from the bottom, change the initial "T" to "F."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 31, 1939.

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

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

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

WM. J. LOWE, Secretary.

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

House Bill No. 72. A Bill for an Act to Repeal Section 3080a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Olson of Mountrail presented a petition from 36 signers urging a change in the hunting laws to permit the use of hunting dogs. Referred to the Committee on Game and Fish.

MESSAGE FROM THE HOUSE House of Representatives,

Bismarck, January 31, 1939.

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

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred:

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

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

Between lines 35 and 36 insert a new paragraph to read as follows: "All initiated measures providing for the expenditure of public funds shall prescribe in such act when initiated a special levy or tax and the method by which such funds shall be raised to carry into effect the purpose of the measure so initiated." Renumber the lines accordingly.

In lines 11 and 17, strike out the number "30" and insert in lieu thereof "15."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman. Senator Young moved that the report be adopted.

Senator Thatcher made a substitute motion that House

Concurrent Resolution No. 91 be re-referred to the Committee on Elections, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 74. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Power, Du-ties 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 amended as follows:

In Section 1, line 3, strike out the word "Governor" and insert in lieu thereof "Chairman of the State Board of Higher Education."

Also in Section 1, line 7, following the word "act," strike out the period and insert a semi-colon and add the following: "provided, however, that said Chairman of the said State Board of Higher Education shall receive compensation of (\$7.00) per diem and his actual expenses while engaged in his duties under this act."

Also in Section 2, line 16, following the word "receive," insert the following: "not to exceed." Also in Section 11, line 274, change the period to a semi-colon and add the following: "provided that husband and wife shall not hold appointments under this act at the same time."

And when so amended, recommend the same do pass, and be referred to the Committee on Appropriations.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted, and Senate Bill No. 74 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Bill No. 58. A Bill for an Act to Impose a Tax Upon Dogs, and Coyotes or Wolves Kept as Domestic Animals, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs, and Coyotes or Wolves Kept as Domestic Animals Upon Which Said Tax Is Assessed; Providing for the De-termination and Payment of Losses From Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs, and Coyotes or Wolves Kept as Domestic Animals; Providing for the Killing of Dogs, and Coyotes and Wolves Kept as Domestic Animals, 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 be indefinitely postponed.

HERMAN THORSON, Chairman.

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

Senator Tweten moved that the vote by which the report of the State Affairs Committee on Senate Bill No. 58 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred, House Bill No. 61, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

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

In Paragraph 2, line 9, after the word "sell," strike out the word "two," and insert in lieu thereof, "four."

In line 15, add the following words: "The House of Representatives concurring:"

And when so amended recommend the same do pass.

HERMAN THORSON, Chairman.

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

The Committee on State Affairs made the following report: Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Resolution B. A Resolution Memorializing Congress and the President of the United States to Lift Embargo on Merchandise to Loyalist Spain.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON R. YOUNG N. N. NELSON G. F. DREW ROBERT GREISER WM. WATT BEN GILBERTSON A. W. FOWLER H. G. GUENTHER TOM WHELAN D. D. MODCAN

R. R. MORGAN.

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Resolution B. A Resolution Memorializing Congress and the President of the United States to Lift Embargo on Merchandise to Loyalist Spain. Have had the same under consideration and recommend that the same do pass.

AXEL OLSON C. C. MORRISON GUST WOG ANDREW SKARVOLD R. A. OWINGS.

Senator Young moved that the majority report on Senate Resolution B, be adopted.

Senator Skarvold made a substitute motion that the minority report be substituted for the majority report, which motion was lost.

The question being on Senator Young's motion for the adoption of the majority report on Senate Resolution B, which motion carried.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, January 31, 1939.

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

House Concurrent Resolution No. 135. Relating to Sending Money to Washington for the Use of the Bank of North Dakota.

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

For your signature.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the 4th Order of Business for consideration of communication received January 31st, from the Governor.

Senator Fowler moved that the communication from the Governor be referred to the proper committee for consideration, which motion prevailed, and the President referred same to the Committee on State Affairs.

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

FIRST READING OF SENATE BILLS

Senators Guthrie, Morrison and Aandahl introduced:

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6 and Section 8 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

The Committee on Appropriations introduced:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to 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.

Senators Magoffin and Watt introduced:

Senate Bill No. 91. A Bill for an Act Relating to the Crime of Murder in the First Degree and Prescribing the Penalties Therefor.

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

Senator Blaisdell introduced:

Senate Bill No. 92. A Bill for an Act to Provide That Real Estate Mortgages Not Renewed or Extended of Record Within Fifteen Years Shall be Discharged From Public Records, and Providing That Such Cancellation Shall Operate for All Purposes as a Discharge and Release of Said Mortgage.

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

SECOND READING OF SENATE BILLS

Senator Fowler moved that Senate Bill No. 55 be amended as follows:

In line 2, section 1, after the words "1935," add the language "as amended by Chapter 176, Session Laws of 1937."

And in line 18, section 2, after the figures "1935," insert the language "as amended by Chapter 176, Session Laws of 1937."

And in line 83, section 3, after the figures "1939," insert the language "nor shall it apply where the funding or refunding bonds bear the same or a lower rate of interest than the bonds refunded," which motion carried.

Senator Fowler moved that the rules be suspended and Senate Bill No. 55 be considered properly engrossed and placed upon Second Reading and Final Passage, as amended.

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel

Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	9

Absent and not voting:

Braun Olson, Mountrail

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:	
Aandahl Guenther	Olson, Mountrail
Aasen Guthrie	Owings
Beaton Hill	Raschko
Bilden Holl	Skarvold
Blank Isaak	Streibel
Blaisdell Kamrath	Stucke
Brant Lavik	Thatcher
Bridston Lemke	Thorson
Dahl Leum	Topp
Drew Lian	Trout
Flatt Magoffin	Troxel
Fowler Morgan	Tweten
Fredrickson Morrison	Watt
Gilbertson Nelson, Grand Fks.	Whelan
Greiser Nelson, McKenzie	Wog .
Gronvold Olson, McHenry	Young

Absent and not voting: Braun

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Thatcher moved the following amendment to Senate Bill No. 76:

In line 30, page 2, strike out the words "pay the."

Strike out all of line 31 and all of line 32 through the word "and" and insert the words "provide for."

Which motion carried.

Senator Fowler moved that the rules be suspended and Senate Bill No. 76 be considered properly engrossed and placed upon Second Reading and Final Passage, as amended.

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

	the affirmative wer	
Aandahl	Greiser	Nelson, Grand Fks.
Aasen	Gronvold	Nelson, McKenzie
Beaton	Guenther	Olson, McHenry
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Raschko
Blaisdell	Holl	Stucke
Brant	Isaak	Thatcher
Bridston	Kamrath	Topp
Dahl	Lavik	Trout
Drew	Lemke	Tweten
Flatt	Leum	Watt
Fowler	Lian	Whelan
Fredrickson	Magoffin	Wog
Gilbertson	Morgan	Young
Those voting in	the negative were	

Those voting in the negative were: Thorson Morrison Skarveld Troxel Owings Streibel

Absent and not voting: Braun

So the bill passed and the title was agreed to.

Senator Troxel: Mr. President, I want to explain my vote and have my remarks recorded in the Journal. I had a bill in before the Clearance Committee to make the Sales Tax a Replacement Tax, and this was turned down. I am in favor of a Sales Tax, but it must be a Replacement Tax. I will not vote for any Sales Tax Bill that does not make the Sales Tax a Replacement Tax. Therefore I vote "No." Senator Fowler moved the following amendment to: House Concurrent Resolution No. 94. 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 General Relief Emergency for December, 1938, and January and February, 1939.

Strike out the figures "5192215" in line 5 and insert in lieu thereof "5192a15." Which motion prevailed.

Senator Whelan moved that House Concurrent Resolution No. 94 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Morrison requested that the Senate be on the Seventh Order of Business, which request was granted.

Senator Morrison moved that all bills and resolutions be printed and a copy on each Senator's desk, before any action is taken on same.

Senator Gilbertson made a substitute motion that the Senate use its own best judgment in the printing of resolutions, which motion prevailed.

The President announced that the Senate would return to the Twelfth Order of Business.

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Senator Guthrie moved that House Concurrent Resolution No. 94 be printed in the Journal, as amended, for the benefit of the Senate, which motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 94

Introduced by Representatives Morland, Ireland, Symington and Braun

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 General Relief Emergency for December, 1938, and January and February, 1939.

BE IT RESOLVED, BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING: That

1 WHEREAS, the Public Welfare Board of North Da-2 kota, as created by Chapter 221 of the 1935 Session Laws, 3 is a Department of this State; and

4 WHEREAS, The Bank of North Dakota, under the 5 provisions of Section 5192a15 of the 1925 Supplement to 5a the Compiled Laws

6 of 1913, is authorized, with the approval of the Industrial
7 Commission of this State, to transfer funds and make
8 loans to any State Department, which funds shall be re9 turned to The Bank of North Dakota with interest; and
10 WHEREAS, the funds available at this time to the said
11 Public Welfare Board are insufficient to grant adequate
12 general relief to our needy people; and

WHEREAS, there are no funds in the State Treasury that can be appropriated by this Legislative Assembly to meet the existing urgent emergency and be made available to the said Board when most needed; Now

17 THEREFORE BE IT RESOLVED, that the Industrial 18 Commission be requested to approve a loan of not to exceed the sum appropriated by this Legislative Assembly 19 20 for this emergency but in no event to exceed the sum 20a of Four Hundred and Twenty-six Thousand, Seven Hun-21 dred Forty-eight Dollars (\$426,748.00) by The Bank of 22 North Dakota to the Public Welfare Board of North Dakota, the proceeds of said loan to be made available 23 24 immediately for general relief for the month of December, 251938, and the months of January and February, 1939, and 26 to be reimbursed to the said Bank of North Dakota with 27 interest in such manner and out of such public monies as 28 this Twenty-sixth Legislative Assembly may later direct 29 by appropriate enactment.

The President announced that the Senate would return to the Twelfth Order of Business.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 83. Memorializing Congress to Make Appropriation for WPA Purposes and That Congress Do Not Enact Any Law Curtailing WPA Activities. Was read the second time.

Senator Guthrie moved the adoption of House Concurrent Resolution No. 83, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

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

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution No. 42. A Concurrent Resolution for Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Concurrent Resolution No. 44. A Concurrent Resolution Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 16. A Bill for an Act Relating to the foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, how Execution may Issue Upon Deficiency Judgment Entered, and Repealing Section 8100 of the Compiled Laws of North Dakota for the Year 1913, Chapter 155 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Senator Blaisdell moved that the vote by which the report of the Judiciary Committee on Senate Bill No. 16 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 22. A Bill for an Act to Amend and Re-

enact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 42. A Concurrent Resolution for Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 44. A Concurrent Resolution Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 135. Relating to Sending Money to Washington for the Use of the Bank of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2 of Chapter 252 of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

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

WM. J. LOWE, Secretary.

THIRTIETH DAY

Bismarck, February 1, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. Mr. H. G. Bens.

Roll call: All Senators present except Senator Dahl.

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

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

In line 10, page 162, and in line 50, page 168, strike out the word "passed" and insert in lieu thereof the words "indefinitely postponed."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 1, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 83. Memorializing Congress to Make Appropriation for WPA Purposes and That Congress Do Not Enact Any Law Curtailing WPA Activities. Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2, of Chapter 252, of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connection Therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

House Concurrent Resolution No. 135. Relating to Sending Money to Washington for the Use of the Bank of North Dakota.

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

Senate Concurrent Resolution No. 42. Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

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

Introduced by Senators Morrison and Young:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

And find the same correctly engrossed.

Introduced by Committee on Taxes and Tax Laws:

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Concurrent Resolution No. 45. A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly. Have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 69.

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

FRED J. FREDRICKSON, Chairman.

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

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

Senate Bill No. 46. A Bill for an Act to Amend and Reenact Chapter 7 of the Session Laws of the State of North Dakota for the Year 1931.

Have had the same under consideration and recommend that the same be indefinitely postponed.

WILLIAM KAMRATH, Chairman.

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

Mr. President: The Majority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 37. A Bill for an Act to Create and Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All 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 15 strike out the figures and letters "10th" and insert in lieu thereof "20th."

In lines 70 and 71 strike out the following language "of the Board of Administration" and in line 75 strike out the language "said the Board of Administration."

Between lines 115 and 116 insert a new section to be numbered "Section 9" and to read as follows: "Until otherwise, provided by law, said State Board of Finance and Administration shall not sell, lease or discontinue the operation or management of any of the utilities, industries, enterprises or business projects, now or hereafter established by law, under its jurisdiction, control, operation or management."

And when so amended recommend the same do pass.

M. R. YOUNG R. R. MORGAN J. B. BRIDSTON GUST WOG A. W. FOWLER TOM WHELAN BEN GILBERTSON H. G. GUENTHER G. F. DREW N. N. NELSON WM. WATT A. N. LAVIK. Mr. President: The Minority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 37. A Bill for an Act to Create and Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All 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 indefinitely postponed.

RÖBERT GREISER R. A. OWINGS ANDREW SKARVOLD C. C. MORRISON AXEL OLSON

Senator Fowler moved that both majority and minority

reports of the Committee on State Affairs with amendments be printed in the Journal and action be deferred one Legislative day, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred the communication of the Governor dated January 31, 1939, referring to appointment of members of The State Board of Higher Education have had the same under consideration and recommend that the communication and the list of names therein contained be submitted to the Senate, in executive session, for consideration.

M. R. YOUNG, Chairman.

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

Senator Fowler moved that the Senate go through its regular Order of Business before going into Executive Session to consider the report of the Committee on State Affairs in regard to the communication from the Governor's Office referring to the appointment of members of the State Board of Higher Education, which motion prevailed.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, Feb. 1, 1939.

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

House Bill No. 48. A Bill for an Act to Amend and Reenact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159, Session Laws of 1935, Defining Usury.

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

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

Was read the second time.

Senator Morrison moved the adoption of Senate Concurrent Resolution No. 67, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Morrison, Morgan and Flatt introduced:

Senate Bill No. 93. A Bill for an Act to Prohibit the Use of Certain Properties of the State of North Dakota and Its Political Sub-divisions in the Discharge of Private Business; Providing Penalties for the Violation 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 State Affairs.

Senators Guenther, Thatcher, Gronvold and Lemke introduced:

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

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

The Committee on Insurance introduced:

Senate Bill No. 95. A Bill for an Act to Amend and Reenact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed.

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

Senators Morgan, Wog and Blaisdell introduced:

Senate Bill No. 96. A Bill for an Act to Provide for the Removal of Certain Public Officers in Said Act Enumerated and Establishing the Procedure Therefor and Repealing Sections 685, 686, 688, 689, 690, 691, 692, 693, 694, and 695 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Sections 687, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481 and 10482 of the Compiled Laws of the State of North Dakota for the Year 1913, and Chapter 230, of the Session Laws of the State of North Dakota for the Year 1927.

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

SECOND READING OF HOUSE BILLS

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders or Livestock Owners in Such Townships, Fixing Penalty for Violation, and Declaring an Emergency.

Was read the second time.

Senator Thorson moved that House Bill No. 61 be amended as follows:

In lines 2 and 5 of the title; and in line 8 of Section 1, strike out the word "township" and insert in lieu thereof the word "counties." And when so amended, recommend that the same do pass.

Senator Fowler made a substitute motion that House Bill No. 61 be re-referred to the Committee on Agriculture and Livestock, which motion prevailed.

FIRST READING OF HOUSE BILLS House Bill No. 48. A Bill for an Act to Amend and Re-

enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159, Session Laws of 1935, Defining Usury.

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

The President announced that the Senate would be on the Eighth Order of Business.

Senator Streibel moved that action on the communication from the Governor with respect to the appointment of seven members on the State Board of Higher Education, be laid over one legislative day, which motion prevailed.

over one legislative day, which motion prevailed. Senator Trout moved that the Senate do now adjourn, which motion prevailed.

WM. J. LOWE, Secretary.

THIRTY-FIRST DAY

Bismarck, February 2, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. H. G. Bens.

Roll Call: All Senators present except Senator Dahl.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirtieth day and recommends that the same be corrected as follows:

In line 26, page 174, strike out the words "confirmation and approval" and insert the word "consideration."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 2, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

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

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

February 2, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 42. Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota. Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

House Bill No. 27. 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.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

House Bill No. 101. A Bill for an Act to Amend and Reenact 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.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 83. Memorializing Congress to Make Appropriation for WPA Purposes and That Congress Do Not Enact Any Law Curtailing WPA Activities.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

In line 2, of the title preceding the word "office," insert the words "nomination for" and strike out the words "for a party office." In line 1, Section 1, strike out the words "has been" and insert in lieu thereof the word "was;" strike out the word "a" and add the words "nomination for;" and in line 2, strike out the first word, "party."

And when so amended recommend the same do pass.

B. W. LEMKE, Chairman. Senator Lemke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 72, have had the same under consideration and recommend that the same be indefinitely postponed.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred House Bill No. 77, have the the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 89, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted.

Senator Gilbertson made a substitute motion that House Bill No. 89 be indefinitely postponed, which motion prevailed.

Senator Blaisdell moved that the vote by which House Bill No. 89 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 92, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted.

Senator Blaisdell made a substitute motion that Senate Bill No. 88 be re-referred to the Committee on Appropriations, which motion prevailed.

Mr. President: A majority of your Committee on Judiciary to whom was referred Senate Bill No. 59, have had the same

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under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE A. W. FOWLER OTTO TOPP TOM WHELAN J. L. FLATT FRED J. FREDRICKSON J. C. BLAISDELL, JR. FRANK H. BEATON ED. LIAN HENRY LEUM

Mr. President: A minority of your Committee on Judiciary to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same do pass.

O. E. BILDEN E. C. STUCKE ANDREW SKARVOLD BEN GILBERTSON KRISTIAN HOLL WM. A. THATCHER GUST TWETEN

Senator Guthrie moved that the majority report of the Committee on Judiciary on Senate Bill No. 59 be adopted, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 62, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Senator Blaisdell moved that the vote on the report of the Committee on State Affairs to indefinitely postpone Senate Bill No. 62, be reconsidered and the motion to reconsider be laid on the table.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

Senator Fowler moved the following amendments to the majority report of the Committee on State Affairs on Senate Bill number 37:

In line 5 of the report strike out the figures "115 and 116" and insert in lieu thereof the figures "114 and 115." And renumber section 9 of the bill as section 10; and section 10 as 11. And when so amended, recommend the same do pass, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 22.

Was delivered to the Governor for his approval at the hour of 2:20 o'clock P. M., February 2, 1939.

W. J. TROUT, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 42.

Senate Concurrent Resolution No. 44.

Were delivered to the Secretary of State for his approval at the hour of 2:30 o'clock P. M., February 2, 1939.

W. J. TROUT, Chairman.

Senator Gronvold moved that the absent Senator be excused. which motion prevailed.

Senator Blaisdell moved that the State Printing Commission be prohibited from paying any further bills for printing of the titles of bills contrary to report adopted by the Senate. Which motion prevailed.

Senator Gronvold moved that the report of the Committee on Taxes and Tax Laws on Senate Bill number 49 be printed in the Journal and be laid over one day.

Senator Blaisdell made a substitute motion that the report of the Committee on Taxes and Tax Laws on Senate Bill number 49 be re-referred to the Committee on Taxes and Tax Laws, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 97. A Bill for an Act to Repeal Subsection 3 of Section 9 of Chapter 249 of the Session Laws of North Dakota for the Year 1937 Requiring Returns of Retail Sales Tax Collections to be Verified by Oath and Declaring an Emergency.

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

The Committee on Public Welfare introduced:

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in 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 Public Health. The Committee on Public Welfare introduced:

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

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

The Committee on Public Welfare introduced:

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

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

The Committee on Public Welfare introduced:

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6, and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

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

The Committee on Public Welfare introduced:

Senate Bill No. 102. A Bill for an Act Granting Certain Powers and Imposing Certain Duties Heretofore Delegated to the Board of Administration, in Connection With Child Welfare Laws of This State, to the Public Welfare Board of North Dakota, Division of Child Welfare; Providing for Cooperation With the Federal Government in Carrying Out Child Welfare Services and Services to Crippled Children and to Receive and Disburse Federal Funds Granted for Such Purposes; Repealing Chapter 150 of the Session Laws of 1923, Being Sections 283b6 and 283b7 of the 1925 Supplement to the 1913 Codes; and Declaring an Emergency.

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

The Committee on Public Welfare introduced:

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

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

Senator Magoffin introduced:

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Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation 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 Taxes and Tax Laws.

Senator Morgan introduced:

Senate Bill No. 105. A Bill for an Act Amending and Reenacting Section 5063 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 165 of the Session Laws of North Dakota for the Year 1931, Relating to the Regulation and Control of the Payment of Death Benefits by Fraternal Benefit Societies; Declaring an Emergency.

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

Senator Holl introduced:

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senator Morgan introduced:

Senate Bill No. 107. A Bill for an Act Providing That Cream Buyers, Creameries, and All Persons and Corporations Engaging in the Business of Buying Farm Produce, Shall Keep Accurate Records; Providing for Furnishing of Such Information to, and for the Inspection of Such Records by County Welfare Boards or Their Employees, With the Written Consent of the Seller; Also Providing for the Furnishing of Information by Employers; and Persons, Banks, and Savings Banks Accepting Money for Deposit; Providing for a Penalty; and Declaring an Emergency.

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

Senator Trout (by request) introduced:

Senate Bill No. 108. A Bill for an Act to Amend and Reenact Section 1 of Chapter 169, Session Laws of North Dakota for the Year 1937, Relating to the Regulation of Used Motor Vehicle Dealers.

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

Senators Blaisdell and Young introduced:

Senate Bill No. 109. A Bill for an Act Providing for the Appointment of a Commission to Examine the Accounting Systems of State Departments and Institutions, and of Local Sub-divisions; Providing for the Establishment of Uniform Systems of Accounting, and Providing a Penalty for Violation; Providing for Biennial Examinations of the Affairs of State Departments and Institutions; Providing an Appropriation; and Repealing Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913.

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

Senators Bilden, Bridston and Nelson of Grand Forks introduced:

Senate Bill No. 110. A Bill for an Act to Amend and Reenact Subsection (e) of Section 2 of Chapter 232 of the 1937 Session Laws Defining the Term "Employing Unit," and Amending and Re-enacting Paragraph (1) of Subsection (6) of Section 2 of Chapter 232 of the 1937 Session Laws, Providing for the Inclusion of the North Dakota Mill and Elevator Association as an Employing Unit Under North Dakota Unemployment Compensation Law: Emergency.

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

Senator Morrison introduced:

Senate Bill No. 111. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property, Providing for the Application of the Sales Tax Upon the Real Estate or Personal Property Taxes, at the Option of the Taxpayer; to Provide the Public Revenue to be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

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

Senators Young and Flatt introduced:

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Nelson of Grand Forks and Guenther introduced: Senate Bill No. 113. A Bill for an Act to Amend and Reenact Section 9240 of the Supplement to the Laws of 1913.

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

Senator Blaisdell introduced:

Senate Bill No. 114. A Bill for an Act Providing for the Issue of Stock Without Par Value With Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

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

Senator Morrison moved that Senate Bill No. 111 be referred to the Committee on Taxes and Tax Laws and that it not be printed until ordered, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in t	the affirmative were:	
Aasen	Guenther	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank .	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Those voting in the negative were: Guthrie Watt

Absent and not voting: Aandahl Dahl

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

Hill

House Bill No. 25. 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.

House Bill No. 27. 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.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

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

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 34. A Bill for an Act Making an Appro-

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priation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

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

House Bill No. 101. A Bill for an Act to Amend and Reenact 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 Elections.

The President announced that the Senate would be on the Fourth Order of Business.

The Secretary read the following communication from the office of the Governor.

State of North Dakota OFFICE OF THE GOVERNOR

Bismarck

January 28, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

Sincerely,

JOHN MOSES, Governor.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 83. A Concurrent Resolution to Make the Full Appropriation Asked for By President Roosevelt for WPA Purposes.

And the President signed the same in the presence of the Senate.

Senator Young requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Young moved that action on the communication from the Governor regarding appointments to the State Board of Higher Education, be laid over one legislative day, which motion prevailed.

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

WM. J. LOWE, Secretary.

THIRTY-SECOND DAY

Bismarck, February 3, 1939.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Mr. H. G. Bens.

Roll Call: All Senators present except Gilbertson.

The President called Senator Watt, President Pro Tem to the Chair.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first day and recommends that the same be corrected as follows:

On page 179, line 26, change the last word "Senate" to "House" and in lines 23 and 26, page 181, change the words "House" to "Senate."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 3, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 83. A Concurrent Resolution to Make the Full Appropriation Asked for by President Roosevelt for WPA Purposes.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 89. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

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

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Watt presented a communication from the nurses at St. John's Hospital in Fargo requesting earnest consideration of a Nurse Registration Bill, which was read from the desk and referred to the Committee on Public Health.

Senator Watt also presented the following communications from the students at the Farmers Union School held at Kindred, N. D., Jan. 11th and 12th regarding:

(1) The Folk School system, which was referred to the Committee on Education.

(2) The leasing of the State Mill and Elevator to the Farmers Union for not less than ten years, which was referred to the Committee on State Affairs.

(3) Appropriations for Correspondence Courses, which was referred to the Committees on Education and Appropriations.

(4) Sufficient funds to set up a course for study of Co-Op Marketing at our State Teachers Colleges, which was referred to the Committee on Education and Appropriations.

MESSAGE FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR

Bismarck, February 2, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have to-day approved and filed with the Secretary of State:

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4 of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929 and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declaring an Emergency.

JOHN MOSES, Governor.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 3, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes.

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 11.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 37.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted. Senator Blaisdell moved that the vote on the report of the Committee on Appropriations to indefinitely postpone Senate Bill No. 74 be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

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

Mr. President: Your Committee on Counties to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted. Senator Isaac made a substitute motion that Senate Bill No. 56 be re-referred to the Committee on State Affairs.

No. 56 be re-referred to the Committee on State Affairs, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

In line 8 strike out the words "following amounts" and insert in lieu thereof "full amount." In line 9 strike out the comma after the word "tax" and insert in lieu thereof a semicolon. Strike out all of balance of line 9, all of line 10, all of line 11, all of line 12, all of line 13, and all of line 14 down to and including the semi-colon. In line 40 strike out the word "five" and the figure "(5)" and insert in lieu thereof the words "not to exceed ten" and the figure "(10)"; also in line 40 strike out the word "with" and insert in lieu thereof the word "without." In line 41 strike out the language "at four (4%) per annum." In line 45 strike out the words "twenty (20%) per cent" and insert in lieu thereof "ten (10%) per cent"; also strike out the language "with accrued interest." In lines 59 and 60 strike out the language "with interest at four (4%) per annum from the date of such contract." In line 99 strike out the language "with accrued interest."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted.

Senator Brant made a substitute motion that the report on Senate Bill No. 48 be printed in the Journal, and action deferred one day, which motion prevailed.

Senator Whelan moved the nomination of George Olson as Clerk, which motion prevailed. Senator Gronvold moved that the absent Senator be excused, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 115. A Bill for an Act to Amend and Reenact Chapter 242, Session Laws of 1937 Relating to the Levying of a Tax for the Purpose of Paying 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.

Senators Brant, Lian, and Topp introduced:

Senate Concurrent Resolution No. 116. A Concurrent Resolution Providing for the Amendment of Section 71 of Article 3 of the Constitution of North Dakota.

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

Senators Guenther and Blaisdell introduced:

Senate Concurrent Resolution No. 117. A Concurrent Resolution Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended by Article 48 of the Amendments Thereof.

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

Senators Drew and Guthrie introduced:

Senate Concurrent Resolution No. 118. A Concurrent Resolution Providing for the Amendment of Section 82 of Article 3 of the Constitution of the State of North Dakota as Amended by Article 43 of the Amendments Thereof and as Amended by the Adoption of the Initiated Amendment at the Primary Election on June 28, 1938.

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

The Committee on Insurance introduced:

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Paragraph (c) of Section 7, Chapter 164 of the Session Laws of 1919, the Same Being Paragraph (c) of Section 4881a7 of 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Mutual Insurance Companies.

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

The Committee on Insurance introduced:

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

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

The Committee on Insurance introduced:

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161 of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

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

The Committee on Appropriations introduced:

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Sections Six (6) and Seven (7), of Chapter 255, of the Session Laws of 1937, Relating to the State Water Conservation Commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

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

The Committee on Appropriations introduced:

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

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

Senators Magoffin, Braun and Blank introduced:

Senate Bill No. 125. A Bill for an Act Defining and Prohibiting Unfair Sales; Providing Remedies for Violation Thereof, and Establishing Penalties Therefor.

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

Senators Raschko, Leum and Aandahl introduced:

Senate Bill No. 126. A Bill for an Act to Amend and Reenact 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 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.

Senator Wog introduced:

Senate Bill No. 127. A Bill for an Act to Amend and Reenact Chapter 216, Session Laws 1923, Constituting Section 950a2 of the 1925 Supplement; and Providing for the Division and Consolidation of Voting Districts.

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

Senators Aasen, Guthrie and Guenther introduced:

Senate Concurrent Resolution No. 128. Providing for the Amendment of Section 150, of Article 8, of the Constitution of North Dakota.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Skarvold
Aasen	Guenther	Thatcher
Blank	Guthrie	Thorson
Blaisdell	Hill	Topp
Brant	Holl	Trout
Bridston	Lavik	Troxel
Braun	Lemke	Tweten
Dahl	Leum	Watt
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Fredrickson	Nelson, Grand Fks.	

Those voting i	n the negative were:	
Beaton	Kamrath	Olson, Mountrail
Bilden	Morrison	Owings
Greiser	Nelson, McKenzie	Streibel
Isaak	Olson, McHenry	Stucke

Absent and not voting:

Gilbertson Raschko

So the bill passed and the title was agreed to.

Senator Aasen 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.

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke

FRIDAY, FEBRUARY 3, 1939

Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	0

Absent and not voting:

Gilbertson Raschko

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

Senator Stucke moved the following amendments to Senate Bill No. 37:

Strike out Section 1 and insert in lieu thereof the following:

SECTION 1. There is hereby created and established the State Board of Finance and Administration which shall consist of three citizens of the State of North Dakota, not more than two of whom shall be affiliated with the same political party and who shall hold office for a term of six years, and until their respective successor is appointed and qualified. The terms of the first members of said Board shall expire one on the first Tuesday after the first Monday in January 1941, one on the first Tuesday after the first Monday in January 1943 and one on the first Tuesday after the first Monday in January 1945 and their respective successor shall be appointed for a full term of six years after the termina-tion of each of said first terms. The appointment of such first Board shall be made as follows: The Governor not later than the 20th day of February, 1939 shall submit to the Senate a list containing nine names of citizens of this State, not more than five of whom shall be affiliated with the same political party. From such list of nine names the Senate shall select three members who shall constitute such The Senate shall designate the respective term of board. each member selected. Upon the termination of each term the Governor on or before the 20th day of the Legislative Session in which such term ends, shall submit a list of three names, to the Senate and from such list the Senate shall select a member to fill the expiring term. If a vacancy occurs for any cause before the end of a term the Governor shall appoint a member to serve until the Senate next convenes, whereupon he shall submit a list of three names from which a member to fill the vacancy shall be selected as above provided. The members of said Board shall be subject to removal only for the reasons and in the manner provided by Chapter four of the Code of Criminal Procedure. The member whose term first expires shall be the Chairman of said Board for a period of two years. Each member of said Board, upon appointment shall take and file the oath prescribed by law for state officers, and shall be bonded by the State Bonding Fund in the sum of twenty-five thousand dollars, such bond to be conditioned for the faithful performance of the duties of his office.

In Section 8, line 109, of the printed bill after the first comma strike out the remainder of the line and insert in lieu thereof the following: "not more than two of whom shall be affiliated with the same political party."

Which motion prevailed.

Senator Streibel moved to further amend Senate Bill No. 37 as follows: (1) in Section 3, line 59 strike out the word "four" and insert in lieu thereof the words "not to exceed three" and (2) on page 6, line 106, strike out the word "three" and insert the words "not to exceed eighteen hundred."

Senator Fowler requested that Senator Streibel's motion be divided, which request was granted.

Senator Fowler then made a substitute motion making line 59 read "sum not to exceed three thousand six hundred dollars per annum, payable monthly," which motion lost.

Senator Fowler then moved a substitute motion to the second part of divided amendment that the words "not to exceed twenty-four hundred" be inserted on page 6, line 106, instead of "not to exceed eighteen hundred," which motion prevailed on a roll call.

ROLL CALL

The question being on Senator Fowler's substitute motion to the second part of divided amendment, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 1; passed, 1.

voting, 1, passeu, 1.		
Those voting in the	affirmative were:	
Aandahl	Fredrickson	Magoffin
Aasen	Gronvold	Morgan
Bridston	Guenther	Nelson, Grand Fks.
Braun	Guthrie	Торр
Dahl	Hill	Trout
Drew	Holl	Whelan
Flatt	Leum	Wog
Fowler	Lian	Young
Those voting in the	negative were:	
Beaton	Lavik	Skarvold
Bilden	Lemke	Streibel
Blank	Morrison	Stucke
Blaisdell	Nelson, McKenzie	Thatcher
Brant	Olson, McHenry	Thorson
Greiser	Olson, Mountrail	Troxel

Absent and not voting: Gilbertson Passed: Watt

Isaak

Kamrath

So the motion passed and the title was agreed to.

Owings

Raschko

Senator Fowler moved that the rules be suspended and that Senate Bill No. 37 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Tweten

Senate Bill No. 37. A Bill for an Act to Create and

Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All 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, 30; nays, 17; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Fredrickson	Magoffin
Aasen	Gronvold	Morgan
Blaisdell	Guenther	Nelson, Grand Fks.
Brant	Guthrie	Topp
Bridston	Hill	Trout
Braun	Holl	Troxel
Dahl	Lavik	Watt
Drew	Lemke	Whelan
Flatt	Leum	Wog
Fowler	Lian	Young
Those voting in the	negative were:	
Beaton	Nelson, McKenzie	Streibel

Those voting in the	negative were:	
Beaton	Nelson, McKenzie	Streibel
Bilden	Olson, McHenry	Stucke
Blank	Olson, Mountrail	Thatcher
Greiser	Owings	Thorson
Isaak	Raschko	Tweten
Morrison	Skarvold	

Absent and not voting:

Gilbertson Kamrath

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

Senator Fowler moved that the vote by which Senate Bill No. 37 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

President Patterson resumed the Chair.

Senate Bill No. 40. 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, 33; nays, 13; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Fredrickson	Morgan
Aasen	Gronvold	Nelson, Grand Fks.
Beaton	Guenther	Raschko
Blank	Guthrie	Thatcher
Blaisdell	Holl	Торр
Brant	Isaak	Trout
Bridston	Lavik	Troxel
Braun	Lemke	Watt
Dahl	Leum	Whelan
Flatt	Lian	Wog
Fowler	Magoffin	Young
Those voting in	n the negative were:	

Those voting in the	inchautic mere.	
Greiser	Olson, McHenry	Streibel
Hill	Olson, Mountrail	Stucke
Kamrath	Owings	Thorson
Morrison	Skarvold	Tweten
Nelson, McKenzie		

Drew

Absent and not voting:

Bilden

Gilbertson

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

SECOND READING OF HOUSE BILLS

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, and 6 of Chapter 266 of the Session Laws of 1927, as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Blaisdell	Lemke	Thatcher
Brant	Leum	Thorson
Bridston	Lian	Topp
Braun	Magoffin	Trout
Dahl	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog

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Olson, Mountrail

Guenther Guthrie

Absent and not voting: Drew Flatt

Gilbertson

Gilbertson

Young

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

Senator Fowler moved that the vote by which House Bill No. 64 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Blaisdell	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young
Hill	Owings	

Absent and not voting:

Aandahl Drew Brant Flatt

So the bill passed and the title was agreed to.

The Senate returned to the Twelfth Order of Business for the reading of House Bills.

FIRST READING OF HOUSE BILLS

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

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

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes.

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

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

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

Senator Whelan requested that the Senate return to the Eighth Order of Business, which motion prevailed.

Senator Whelan moved that the Senate now go into Executive Session.

The Senate reconvened in regular session and the President announced that the Senate in Executive Session, confirmed the names of the nominations from the Governor to serve on the Board of Higher Education for the terms specified in the communication from the Governor.

Senator Thorson moved that the Chair appoint a committee of three to serve with a like committee from the House to arrange for a memorial program on February 22nd, which motion prevailed.

The Chair appointed as such committee: Senators Thorson, Wog and Blaisdell.

Senator Skarvold moved that the Senate do now adjourn. WM. J. LOWE, Secretary.

THIRTY-THIRD DAY

Bismarck, February 4, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, the Reverend Father Tracy.

Roll Call: All Senators present except Morgan.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-second day and found the same correct.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 4, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 64. A Bill for an Act to Amend and Reenact Section 1, 2, 3, 4, 5, 6, 7, and 8 of Chapter 266 of the Session Laws of 1937 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. 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.

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Senate Bill No. 37. A Bill for an Act to Create and Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

The President announced that a communication had been received from Senator Nye acknowledging the receipt of Senate Concurrent Resolutions Nos. 17; 18; 20 and 31.

And a communication from Congressman Lemke acknowledging the receipt of Senate Concurrent Resolution No. 80.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 37.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Resolution "C," have had the same under consideration and recommend that the same be amended as follows:

Strike out everything beginning with line 1 and after the words "North Dakota," and insert in lieu thereof the following:

AMENDMENTS TO SENATE RESOLUTION C.

1 WHEREAS, the Senate Committee on Agriculture la unani-

2 mously agreed on the following: that grasshoppers cannot

3 be eliminated by the spreading of arsenic poison and to the

4 best judgment of the Committee less than three per cent 4a (3%)

5 were killed by the use of arsenic poison in 1938;

6 WHEREAS, the farmers were more willing to cooperate 7 in the spreading of arsenic in 1938 than they will be in

8 1939, and to the best judgment of the Committee eighty

9 per cent (80%) of the farmers in North Dakota will not be
10 willing to cooperate in the spreading of the bait in 1939,
11 because of the poor results in the 1938 experiment and of
12 great losses to livestock from such poison, and also the

killing of upland birds, which are the natural remedy forthe eradication of insects;

15 WHEREAS, several million dollars of the tax payers' 16 money collected by the Federal, State and Counties have 17 been spent for this purpose and hardly any benefit has 18 been received therefrom;

19 WHEREAS, the greatest benefit resulting from the 20 preparation of Grasshopper poison goes to the manufac-20a turers

21 of arsenic and other ingredients used in the preparation

22 of the Grasshopper poison, all of which is promoted and

23 recommended by the Extension Department of the Agri-23a cultural

24 College of this State;

25 THEREFORE, BE IT RESOLVED, that we recom-25a mend that

26 all Federal money appropriated for the eradication of in-26a sects

27 be allotted to the States according to amount or degree of 28 infestation, to be spent and used by the State Grasshopper

29 Committee according to their best judgment; and

30 BE IT FURTHER RESOLVED, that the State Grass-30a hopper

31 Committee make use of parasitic fungus prepared by 31a Charles

32 C. Hass of Whitewood, South Dakota, and other methods 32a which

33 they may see fit to adopt.

34 BE IT FURTHER RESOLVED, that copies of this 34a resolution

35 be sent to the Secretary of Agriculture of the United

36 States at Washington, D. C., to each member of Congress 36a of

37 this State, to the Director of the County Agent's Exten-37a sion

38 Department of the Agricultural College at Fargo and to 38a the

39 Chairman of each Board of County Commissioners of the 39a State

40 of North Dakota.

And when so amended recommend the same do pass.

HERMAN THORSON, Chairman

Senator Watt moved that the report of the Committee on Agriculture and Livestock on Senate Resolution "C" be printed in the Journal and action on report be delayed one day, which motion prevailed.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same be amended as follows: Strike out part 2 of Sub-section (b) beginning with line 17 and insert in lieu thereof the following:

Where permanent crossing is established the highway department shall furnish protection for such crossing, so that a farmer who owns or operates land on both sides of any public highway can cross at such protected crossing without removing the stud, flange, cleat, spike, lugs or any other protuberances from farm tractors.

And when so amended recommend the same do pass. HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

In Section 1 strike out all of line 2 and that portion of line 3 to and including the figure \$40,459.00, and in lieu thereof insert the following: The sum of \$12,000.00 out of the Interest and Income Fund of the Institution hereafter named and the sum of \$35,659.00, out of the State Treasury, not otherwise appropriated.

In line 14, page 2 strike out the figure "\$5,400.00" and insert in lieu thereof the figure "\$5,000.00." In line 15 strike out the figure "\$1,400.00" and insert in lieu thereof the figure "\$1,000.00." In line 16 strike out the figure "\$450.00" and insert in lieu thereof the figure "\$400.00." In line 17 strike out the figure "\$200.00" and insert in lieu thereof the figure "\$150.00." In line 18 after the word "etc." add the following: "Available July 1, 1939," and strike out the figure "\$1,200" and insert in lieu thereof the figure "\$1,000.00." In line 19 strike out the figure "\$150.00" and insert in lieu thereof the figure "\$75.00." In line 21 strike out the figure "\$150.00" and insert in lieu thereof the figure "\$75.00." In line 26 strike out the figure "\$10,200.00" and insert in lieu thereof the figure "\$8,000.00." In line 31 strike out the figure "\$46,059.00" and insert in lieu thereof the figure "\$42,609.00." Strike out all of line 32. Strike out all of line 33 on page 3. In line 35 strike out the figure "\$2,200.00" and insert in lieu thereof the figure "\$1,700.00." In line 37 after the word "Utensils" insert the words "Dishes and Refrigerator." In line 38 strike out the figure "\$700.00" and insert in lieu thereof the figure "\$400.00." In line 39 strike out the figure "\$300.00" and insert in lieu thereof the figure "\$150.00." In line 40 strike out the figure "\$600.00" and insert in lieu thereof the figure "\$200.00." Following line 41 insert a new line to read as follows: "Item 5 above to become available July 1, 1939." In line 47 strike out the figure "\$40,459.00" and insert in lieu thereof the figure "\$47,659.00."

Renumber all lines starting with line 3 in numerical order. And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 3 be printed in the Journal and action be delayed one day, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

In Section 1 strike out all of line 2 and that portion of line 3 to and including the figure "\$153,212.48," and in lieu thereof insert the following: "The sum of \$20,000.00 out of the Interest and Income Fund of the Institution hereafter named and in the sum of \$149,707.58, out of the State Treasury, not otherwise appropriated."

In line 15, page 2 strike out the figure "\$900.00" and insert in lieu thereof the figure "\$1,000.00." In line 17 after the word "etc." insert the following: "Available July 1, 1939," and strike out the figure "\$3,700.00" and insert in lieu thereof the figure "\$4,100.00." In line 24 correct the spelling of the word "travel" and strike out the figure "\$17,200.00" and in-sert in lieu thereof the figure "\$1,200.00." In line 28 strike out the figure "\$4,000.00" and insert in lieu thereof the figure "\$3,500.00." In line 29 strike out the figure "\$1,700.00" and insert in lieu thereof the figure "\$700.00." In line 30 strike out the figure "\$900.00" and insert in lieu thereof the figure "\$700.00." In line 32 strike out the figure "\$150,352.58" and insert in lieu thereof the figure "\$149,152.58. Strike out all of line 33. Strike out all of line 34 on page 3. In line 37 strike out the figure "\$1,225.00" and insert in lieu thereof the figure "\$1,000.00." In line 38 strike out the figure "\$800.00" and insert in lieu thereof the figure "\$600.00." In line 39 strike out the figure "\$2,000.00" and insert in lieu thereof the figure "\$1,500.00." In line 40 strike out the figure "\$500.00" and insert in lieu thereof the figure "\$400.00." In line 44 strike out the figure "\$800.00" and insert in lieu thereof the figure "\$1,000.00." In line 46 strike out the figure "\$1,100.00" and insert in lieu thereof the figure "\$1,000.00." In line 49 strike out the figure "\$3,500.00" and insert in lieu thereof the figure "\$3,000.00." Strike out all of line 52. Strike out all of line 57. In line 58 strike out the figure "\$153,212.58" and insert in lieu thereof the figure "\$169,-707.58."

Renumber all lines starting with line 3 in numerical order.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 2 be printed in the Journal and action be delayed one day, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, strike out all of line 2 and line 3 to and including the figure "\$192,974.93" and in lieu thereof insert the following: "The sum of \$349,602.08 out of the county care and institutional collection funds of the institution hereafter named and the sum of \$132,884.80 out of the State Treasury, not otherwise appropriated."

In line 10, strike out the figure "\$8,771.04" and insert in lieu thereof the figure "\$9,399.84." In line 11, strike out the figure "\$189,046.93" and insert in lieu thereof the figure "\$175,678.00." In line 14, page 2, strike out the figure "\$2-800.00" and insert in lieu thereof the figure of "\$4,260.00." In line 15, strike out the figure "\$2,314.00" and insert in lieu thereof the figure "\$2,000.00." In line 16, strike out the figure "\$4,800.00" and insert in lieu thereof the figure "\$2,-

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400.00." In line 20, strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$800.00." In line 21, strike out the figure "\$4,000.00" and insert in lieu thereof the figure "\$3,000.00." In line 22, strike out the figure "\$5,500.00" and insert in lieu thereof the figure "\$5,000.00." In line 23, strike out the figure "\$2,500.00" and insert in lieu thereof the figure "\$2,000.00." In line 24 strike out the figure "\$165,-000.00" and insert in lieu thereof the figure "\$150,000.00." In line 25, strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$10,000.00" and insert in lieu figure "\$33,000.00" and insert in lieu thereof the figure "\$25,000.00." In line 27, strike out the figure "\$17,000.00" and insert in lieu thereof the figure "\$15,000.00." In line 28, strike out the figure "\$700.00" and insert in lieu thereof the figure "\$500.00." In line 29, strike out the figure "\$7,000.00" and insert in lieu thereof the figure "\$6,000.00." In line 30, strike out the figure "\$4,000.00" and insert in lieu thereof the figure "\$2,500.00." In line 32 strike out the figure "\$509,586.51" and insert in lieu thereof the figure "\$463,-192.38." Strike out all of line 33. Strike out all of line 34, on page 3. Strike out all of line 36. Strike out all of line 38. In line 39, strike out the figure "\$2,000.00" and insert in lieu thereof the figure "\$1,500.00." In line 44, strike out one "d" in the word "and" and strike out the figure "\$2,500" and insert in lieu thereof the figure "\$1,500.00." In line 46, strike out the figure "\$660.00" and insert in lieu thereof the figure "\$300.00." In line 47 strike out the figure "\$800.00" and insert in lieu thereof the figure "\$1,114.00." In line 48, strike out the figure "\$500.00" and insert in lieu thereof the figure "\$400.00." In line 49, strike out the figure "\$200.00" and insert in lieu thereof the figure "\$100.00." In line 51, strike out the figure "\$192,974.93" and insert in lieu thereof the figure "\$482,486.88."

Renumber all lines starting with line 3 in numerical order. Senator Morrison moved that the report of the Committee

on Appropriations on Senate Bill No. 5 be printed in the Journal, and action be delayed one day, which motion prevailed.

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 90, have had the same under consideration and recommend that the same be amended as follows:

In line 9, after the word "applied" insert the word "only." And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 73, have had the same under consideration and recommend that the same be amended as follows:

In line 62, after the word "vehicle" strike out the period and insert a comma and the following language "and if he fails so to do he shall be guilty of misfeasance in office and shall be subject to removal as provided by law."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Senator Brant moved the following amendment to the report of the Committee on Taxes and Tax Laws on Senate Bill No. 48, as printed in the Journal of the Thirty-Second Day:

In Section 2, on line 65, strike out the last word and also in line 66, strike out the words "property located within said county" and insert in lieu thereof the words "the property described in said contract."

Which motion prevailed.

Senator Brant moved the further amendment to the report of the Committee on Taxes and Tax Laws on Senate Bill No. 48:

In section 5, on line 103, strike out the words "upon reduced basis" and also in line 104, strike out the words "herein provided."

Which motion prevailed.

Senator Fowler moved that the report of the Committee on Taxes and Tax Laws on Senate Bill No. 48 as amended on the floor be adopted.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 4, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889. House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 147. A Bill for an Act Ceding to the United State Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

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

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the action by which Senate Bill No. 74 was indefinitely postponed be reconsidered.

Senator Fowler demanded a roll call on the motion of Senator Blaisdell.

ROLL CALL

The question being on the motion of Senator Fowler, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Gilbertson	Nelson, Grand Fks.
Aasen	Gronvold	Raschko
Blaisdell	Guenther	Thatcher
Brant	Guthrie	Торр
Bridston	Hill	Trout
Braun	Holl	Troxel
Dahl	Lavik	Watt
Drew	Leum	Whelan
Flatt	Lian	Wog
Fowler	Magoffin	Young
Fredrickson		

Those voting i	n the negative were:	
Beaton	Lemke	Skarvold
Bilden	Morrison	Streibel
Blank	Nelson, McKenzie	Stucke
Greiser	Olson, McHenry	Thorson
Isaak	Olson, Mountrail	Tweten
Kamrath	Owings	

Absent and not voting: Morgan

The President announced that the motion to reconsider Senate Bill No. 74 was lost for want of a two-thirds majority.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Guthrie and Young introduced:

Senate Concurrent Resolution No. 129. A Concurrent Resolution Memorializing Congress to Support the Proposed Legislation Prohibiting Retro-active Federal Taxation of State and Municipal Securities and Employes. Was read the first time and referred to the Committee on Taxes and Tax Laws.

FIRST READING OF SENATE BILLS

Senators Blank, Guthrie and Brant introduced:

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

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

Senator Guthrie introduced:

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

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

Senators Morrison, Guthrie and Aandahl introduced:

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

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

The Committee on Education introduced:

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

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

Senators Flatt and Watt introduced:

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Braun and Young introduced:

Senate Bill No. 136. A Bill for an Act to Encourage and Permit the Propagation of Domestic Game Birds by Private Enterprise in the State of North Dakota; Declaring an Emergency.

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

Senators Streibel and Watt introduced:

Senate Bill No. 137. A Bill for an Act Imposing a Tax

Upon Tickets for Admission to All Theaters, Movies, and Other Public Places of Amusement; Declaring an Emergency.

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

Senators Olson of Mountrail and Nelson of McKenzie introduced:

Senate Bill No. 138. A Bill for an Act Requiring All Traveling Salesmen, Persons or Agents Soliciting the Sale of Insurance, the Sale of Bonds, or Other Securities, and Soliciting Orders to be Filled by Deliveries to be Made at a Later Time, Including Book Agents, and Excepting Newspaper Men, to First Obtain a License Therefor; Application for License and How License Is Used; Fee for License to be Paid to the Secretary of State Credited to the General Fund; the Secretary of State to Keep All Applications on File and to Grant Licenses Thereon; Distribution of Revenue and Penalty for Violation of Provisions, 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 Corporations.

Senator Fredrickson introduced:

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

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

The Committee on Appropriations introduced:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

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

The Committee on Appropriations introduced:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous persons for the Biennium Beginning July 1, 1939 and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

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

Senators Trout, Lian and Blaisdell introduced:

Senate Bill No. 142. A Bill for an Act Amending and Reenacting Section 909a1 of the 1925 Supplement to the Compiled Laws of North Dakota 1913 Relating to No-Party Elections, Providing for the Election of Members of the Legislative Assembly on the No-Party Ticket, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Blaisdell introduced:

Senate Bill No. 143. A Bill for an Act to Provide That Judgments or Liens Not Renewed Within Ten Years From Date of Docketing, Shall be Discharged and Satisfied of Record.

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

Senators Young and Guthrie introduced:

Senate Bill No. 144. A Bill for an Act Requiring State Officers, Boards, Bureaus, Commissions, Departments and Institutions to Prepare and File Reports, and Providing a Penalty for Failure to Comply With This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Blaisdell introduced:

Senate Bill No. 145. A Bill for an Act Providing for the Renewal of Mechanics' Liens and for the Cancellation and Discharge Thereof Unless Renewed Within Six Years From the Date of Filing.

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

Senator Blaisdell introduced:

Senate Bill No. 146. A Bill for an Act Empowering the Governing Board of Cities and Villages to Provide for the Lighting of All Streets, Avenues, Alleys, Sidewalks, Wharves, Parks and Public Grounds, and for the Furnishing and Supplying of Electric Energy or Gas to the City or Village for Lighting, Power, and Other Municipal Purposes, and to the Inhabitants Thereof, and to Enter Into Contracts for Electric Energy or Gas for Municipal and Private Purposes, and Specifying the Manner of Execution of Such Contracts, and Repealing Chapter 173, of the Session Laws of North Dakota for 1929.

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

Senator Blaisdell introduced:

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

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

Senator Morgan introduced:

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

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

FIRST READING OF SENATE

CONCURRENT RESOLUTIONS

Senators Wog, Guthrie, and Fowler introduced: Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

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

Senators Stucke, Holl and Morrison introduced:

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

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

SECOND READING OF SENATE BILLS

Senator Watt moved that action on Senate Bill No. 110 be laid over one legislative day, which motion prevailed.

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; 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, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Those voting in t	ne annante were.	
Aandahl	Fredrickson	Owings
Aasen	Gilbertson	Raschko
Beaton	Gronvold	Skarvold
Bilden	Guenther	Streibel
Blaisdell	Guthrie	Topp
Brant	Hill	Trout
Bridston	Holl	Tweten
Braun	Lavik	Watt
Dahl	Leum	Whelan
Flatt	Magoffin	Wog
Fowler	Nelson, Grand Fks.	Young
Those voting in t	he negative were:	
Drew	Morrison	Stucke
Isaak	Nelson, McKenzie	Thatcher
Kamrath	Olson, McHenry	Thorson
Lemke	Olson, Mountrail	Troxel

Lemke	Olson, Mountrall	Troxel
Absent and not Blank Greiser	voting: Lian	Morgan

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

FIRST READING OF HOUSE BILLS

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Ses-sion Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

200

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

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Federal Relations.

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to the Enabling Act of February 22, 1889.

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

House Bill No. 147. A Bill for an Act Ceding to the United States Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

Was read the first time and referred to the Committee on Federal Relations.

SECOND READING OF HOUSE BILLS

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

Was read the second time.

ROLL CALL

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

Those voting in the		
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lavik	Торр
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Magoffin	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Gronvold		•
Absent and not vo	ting:	
Blank	Lian	Raschko
Greiser	Morgan	Stucke

So the bill passed and the title was agreed to.

Senator Blaisdell moved that the Senate recess until 1:45 P. M., February 6th, which motion prevailed and the Senate stood recessed.

WM. J. LOWE, Secretary.

THIRTY-THIRD DAY AFTER RECESS AND THIRTY-FIFTH DAY

Bismarck, February 6, 1939.

The Senate convened at 1:45 P. M., pursuant to recess taken, the President presiding.

Senator Blaisdell moved that the action by which Senate Bill No. 74 was indefinitely postponed be reconsidered, which motion prevailed.

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

WM. J. LOWE, Secretary.

THIRTY-FIFTH DAY

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, the Reverend Father Tracy.

Roll call: All Senators present.

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

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

On page 202, 8th line from the bottom of the page, strike out the word "Concurrent."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 6, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

Which the Senate has passed unchanged.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency. Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Holl presented a petition from 47 citizens of Williams County pointing out that per pupil costs for education in North Dakota had decreased '22% since 1929, or from \$92 to \$72, and challenging any department to match such economy; opposing "selfish" distribution of the funds from the Equalization account on a basis per pupil assessed valuation; and calling for the consideration of human needs, the welfare of little children—the citizens of tomorrow in voting on appropriations.

Referred to the Committee on Education.

MESSAGE FROM THE GOVERNOR

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

Ismarck

February 4, 1939.

To the Senate of the State of North Dakota: This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

JOHN MOSES, Governor.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution No. 64, and find the same correctly Enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 48, and find the same correctly engrossed. W. J. TROUT, Chairman.

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

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

Senate Bill No. 73, and find the same correctly Engrossed. W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following: Senate Bill No. 84, and find the same correctly Engrossed. W. J. TROUT, Chairman.

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

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

Senate Bill No. 90, and find the same correctly Engrossed. W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Concurrent Resolution No. 106, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Senator Watt moved that the Report of the Committee on Appropriations on Senate Bill No. 3 as printed in the Journal of the Thirty-Third Day, be adopted, which motion prevailed.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 2 as printed in the Journal of the Thirty-Third Day, be adopted, which motion prevailed.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 5 as printed in the Journal of the Thirty-Third Day, be adopted, which motion prevailed.

Senator Thorson moved that the report of the Committee on Agriculture and Livestock on Senate Resolution "C" as printed in the Journal of the Thirty-Third Day, be adopted, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 97, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Concurrent Resolution No. 129, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same do pass. A. W. FOWLER, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 6, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 152. A Bill for an Act Amending and Reenacting Section 4446 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 151 of the Session Laws of 1923 Relating to the Adoption of Minor Children.

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163al of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

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

MINNIE D. CRAIG, Chief Clerk.

Senator Bridston moved that Senate Bill No. 110 be rereferred to the Committee on Appropriations, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Insurance introduced:

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919 as Amended by Chapter 143, 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 Insurance.

Senator Fredrickson moved that Senate Bill No. 150 be referred to the Committee on Insurance without printing.

The Committee on State Affairs introduced:

Senate Bill No. 151. A Bill for an Act to Amend and Reenact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913, as Last Amended by Section 3 of Chapter 137 of the Session Laws of the State of North Dakota for the Year 1933, Relating to State Hail Insurance, Providing for the Levy of a Hail Indemnity Tax, Fixing the Priority of the Lien Therefor; Declaring That Any and All Existing Hail Indemnity Taxes, Which Have Not Heretofore Been Sold to Private Parties, Shall be Liens Subsequent and Inferior to Mortgages, Liens and Judgments Executed Prior to the Levy of Such Hail Indemnity Taxes; and Declaring an Emergency.

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

The Committee on State Affairs introduced:

Senate Bill No. 152. A Bill for an Act to Amend and Reenact Section 8100 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 155 of the Session Laws of North Dakota for 1933, Relating to the Foreclosure of Real Estate Mortgages; What the Judgment and Decree of Foreclosure Shall Contain; Providing for the Issuance of Execution on Certain Deficiency Judgments; and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senator Blaisdell introduced:

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

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

Senator Fredrickson introduced:

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal, and Providing Penalty.

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

Senators Blaisdell, Guthrie, Stucke, Drew, and Morgan introduced:

Senate Bill No. 155. A Bill for an Act Defining and Relating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe and Possess Such Drugs; Establishing Regulations for Manufacture, Sale and Prescription Thereof; Providing for License by State Health Officer; Fixing Penalty for Violation of This Act; Repealing Laws Inconsistent Therewith.

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

Senator Blaisdell moved that Senate Bill No. 155 be referred to the Committee on Public Health without printing, which motion prevailed.

Senator Blasidell introduced:

Senate Bill No. 156. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 221 of the Session Laws of North Dakota for the Year 1935 Relating to the State Board of Public Welfare, and Declaring an Emergency.

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

The Committee on Insurance introduced:

Senate Bill No. 157. A Bill for an Act Relating to Civil Liability of Owners and Operators of Motor Vehicles, Service of Civil Process on Non-residents and Requirement That Owners of For-rent Vehicles Give Proof of Financial Responsibility and to Make Uniform the Law With Reference Thereto.

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

Senator Fredrickson moved that Senate Bill No. 157 be referred to the Committee on Insurance without printing, which motion prevailed.

Senator Fredrickson introduced:

Senate Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 163 of the Session Laws of the State of North Dakota for the Year 1929, Being an Act to Require Persons Convicted of Reckless Driving, or of Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs, or of Failure to Stop in Event of an Accident Involving Injury or Death to a Person, to Furnish a Bond or Insurance Policy; Providing for the Enforcement of Such Act; and Providing a Penalty for the Violation Thereof.

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

The Committee on Insurance introduced:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, 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 Insurance.

Senator Fredrickson moved that Senate Bill No. 159 be referred to the Committee on Insurance without printing, which motion prevailed.

Senators Lian, Trout and Isaak introduced:

Senate Bill No. 160. A Bill for an Act Licensing the Operation of Slot Machines and Other Machines or Mechanical Devices of All Descriptions Operated or Played by Inserting a Coin, Slug, or Other Object; Prohibiting the Operation of Any Such Machine Not Duly Licensed; Providing for Certain License Fees and for the Disposition of Moneys Obtained Thereunder; Licensing Distributors Providing for Certain Exemptions to the Provisions of This Act; Providing for the Enforcement Hereof; Providing Penalties for the Violation of Provisions of This Act; Providing for a Saving Clause; 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.

Senator Flatt, (by request), introduced:

Senate Bill No. 161. A Bill for an Act to Prohibit Public Officials, Both Elective and Appointive, From Engaging in the Wholesaling or Retailing of Intoxicating Liquor, and Providing Penalty for the Violation Thereof.

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

Senators Blaisdell, Bridston, Guthrie, Gilbertson and Fredrickson introduced:

Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 10, of Chapter 102, of the Session Laws of the State of North Dakota for the Year 1937, Relating to Rentals and the Selection of Tenants in Housing Projects of Housing Authorities, and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senators Blaisdell and Fredrickson introduced:

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

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

Senators Fredrickson and Guthrie introduced:

Senate Bill No. 164. A Bill for an Act Relating to the Enactment of Ordinances in Cities Having the Commission Form of Government and Validating Ordinances Heretofore Enacted in Such Cities.

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

Senators Young and Guthrie introduced:

Senate Bill No. 165. A Bill for an Act Organizing the Department of Fire Marshal and Hotel Inspector; Transferring the Duties and Powers of the Present Fire Marshal and the Duties and Powers of the Present Hotel Inspector as Now Defined by Law to the Department of Fire Marshal and Hotel Inspector; 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 Public Safety.

Senators Drew and Morgan introduced:

Senate Bill No. 166. A Bill for an Act to Amend and Reenact Section 2 of Chapter 232 of the Session Laws of 1937, Relating to the North Dakota Compensation Law.

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

Senator Morrison (by request) introduced:

Senate Bill No. 167. A Bill for an Act to Amend and Reenact Section 677 and Section 678 of the Compiled Laws of North Dakota for 1913, Relating to the Time of the Beginning of County, Township and Precinct Offices; Making Special Provisions for the Beginning of Terms of Office of County Auditor, County Treasurer and County Superintendent of Schools; and Fixing the Time for Qualifying for Office; Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senators Guthrie and Bridston introduced:

Senate Bill No. 168. A Bill for an Act Relating to the Furnishing of Certified Checks or Bidder's Bonds by Contractors Submitting Proposals for the Construction of Public Improvements; 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 Banks and Banking.

Senator Bridston introduced:

Senate Bill No. 169. A Bill for an Act Fixing Responsibility for Damages by Motor Vehicle Drivers; Defining a Final Judgment; Providing a Penalty for Operation During Suspension and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Committee on Education introduced:

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, and Declaring an Emergency.

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

Senators Skarvold and Braun introduced:

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into; A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Owings, Skarvold and Streibel introduced:

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

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

Senator Morrison (by request) introduced:

Senate Bill No. 173. A Bill for an Act to Amend and Reenact Chapter 256 of the 1933 Session Laws, Relating to the Exemption From Taxation of Personal Property.

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

Senators Morrison, Bilden, and Young introduced:

Senate Bill No. 174. A Bill for an Act to Amend and Reenact Sub-divisions 1 and 3, of Section 2346a43, of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Relating to the Secrecy Required of Officials, in Filing and Keeping Income Tax Reports, and Statistics Relating Thereto; Providing for the Right of Assessors to Inspect the Inventories of Merchandise, Incorporated, in Returns Between April 1, and April 30, of Each Year, and Permitting the Furnishing of Such Information to Assessors for Assessing Purposes; Providing a Penalty; and Repealing All Acts or Parts of Acts, and Declaring an Emergency.

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

Senators Blank, Thatcher, Morrison and Brant introduced: Senate Bill No. 175. A Bill for an Act Providing for the

Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

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

Senator Morrison introduced:

Senate Bill No. 176. A Bill for an Act Amending and Reenacting Section 1178 of the Compiled Laws of North Dakota for 1913, Relating to Salaries of Teachers.

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

Senator Magoffin introduced:

Senate Bill No. 177. A Bill for an Act to Repeal That Certain Initiated Law Entitled "An Act Prohibiting Corporation Farming and Relating to Corporations Acquiring and Holding Real Estate Not Necessary in the Operation of Their Business." Approved and Adopted by the Electors at the June 29, 1932 Primary Election, as Amended by Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, and as Further Amended by Chapter 111 of the Session Laws of North Dakota for the Year-1935.

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

Senators Nelson of Grand Forks, Whelan, Blank, Wog, Guthrie, Braun and Fowler introduced:

Senate Bill No. 178. A Bill for an Act Providing That the State Board of Finance and Administration Created and Established by Senate Bill Number 37 Now Pending Before This Legislative Assembly Shall be the Successor of The Board of Administration and Vesting in and Imposing Upon Said State Board of Finance and Administration All the Rights, Powers, Duties, Obligations and Prerogatives of Said Board of Administration, and Declaring an Emergency.

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

Senators Trout, Lian and Isaac introduced:

Senate Bill No. 179. A Bill for an Act Licensing the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards; Providing for Certain License Fees and for Certain Taxes Thereon; for the Disposition of Monies Obtained Thereunder; Prohibiting the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards Not Duly Stamped; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; Providing for 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.

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 180. A Bill for an Act to Repeal Sections 1326a1, 1326a2, 1326a3, 1326a4 and 1326a5 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to a Petition by Electors to Increase Debt Limit of School Districts.

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

Senator Trout introduced:

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans.

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

Senators Bridston and Nelson of Grand Forks introduced:

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

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

Senators Bridston and Nelson of Grand Forks introduced:

Senate Bill No. 183. 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 Acts or Parts of Acts in Conflict Herewith. Was read the first time and referred to the Committee on . Education.

Senator Blaisdell introduced:

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 6, 1939.

Mr. President: I have the honor to transmit: House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 266 of the Session Laws of 1927 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6 and Section 8 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

affirmative were:	
Gronvold	Olson, McHenry
Guenther	Olson, Mountrail
Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
	Gronvold Guenther Guthrie Hill Holl Isaak Kamrath

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Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting: Trout

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

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that Senate Bill No. 74 be placed on the Calendar, which motion prevailed.

The President announced that Senate Bill No. 74 would be placed on the Calendar for the Thirty-fifth Day.

Senate Bill No. 73. A Bill for an Act to Amend and Reenact Section 29 of Chapter 179 of the Session Laws of 1927 as Amended by Chapter 165 of the Session Laws of 1929 and Chapter 186 of the Session Laws of 1931, Relating to When Fees on Motor Vehicles Become Delinquent, Providing Penalties, Providing for the Collection Thereof, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Absent and not voting: Guthrie

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

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to 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, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Flatt

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

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, 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, 36; nays, 12; absent and not voting, 1.

affirmative were:	
Hill	Skarvold
Holl	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Thorson
Morgan	Торр
Morrison	Troxel
Nelson, McKenzie	Tweten '
Olson, McHenry	Watt
Olson, Mountrail	Whelan
Owings	Wog
Raschko	Young
negative were:	
Gronvold	Lian
Guenther	Magoffin
Isaak	Nelson, Grand Fks.
Leum	Trout
	Holl Kamrath Lavik Lemke Morgan Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail Owings Raschko negative were: Gronvold Guenther Isaak

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Absent and not voting: Flatt

So the bill passed and the title was agreed to.

Senator Troxel moved that the vote by which Senate Bill No. 84 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 48. A Bill for an Act to Amend and Reenact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Stucke
Brant	Isaak	Thatcher
Bridston	Kamrath	Торр
Braun	Lavik	Trout
Dahl	Lemke	Troxel
Drew	Leum	Tweten
Flatt	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser		

Those voting in the	negative were:	
Blaisdell	Olson, Mountrail	Streibel
Morgan	Owings	Thorson

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

Senator Stucke moved the following amendment to Senate Bill No. 74:

In line 230, of the printed bill, strike out the word "of" following the word "appointment," and insert in lieu thereof the words "the one having the highest rating unless after ten days the person so certified shall not have accepted the appointment." Which motion prevailed.

Senator Stucke moved a further amendment to Senate Bill No. 74:

In line 212, strike out the figures "50%" and insert in lieu thereof the figures "75% in determining the final ranking in any classification of position," and strike out the balance of the line up to and including the period in line 213. Which motion prevailed.

Senator Gilbertson moved that the rules be suspended and that Senate Bill No. 74 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 74. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Power, 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Gronvold	Morgan
Aasen	Guenther	Nelson, Grand Fks.
Blaisdell	Guthrie	Торр
Bridston	Hill	Troxel
Drew	Holl	Watt
Flatt	Lavik	Whelan
Fowler	Leum	Wog
Fredrickson	Lian	Young
Gilbertson	Magoffin	

Those voting in th	e negative were:	
Beaton	Kamrath	Raschko
Blank	Lemke	Skarvold
Brant	Morrison	Streibel
Braun	Nelson, McKenzie	Stucke
Dahl	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Thorson
Isaak	Owings	Tweten

Absent and not voting:

Bilden Trout

So the bill passed and the title was agreed to.

Senator Blaisdell 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.

Senator Greiser: Mr. President, I wish to explain my vote. I like the general idea of a Civil Service but there are several things about this bill which I do not like. Neither do I believe that the appropriation it calls for will begin to set up Civil Service in our state. I vote "No." Senator Morrison: Mr. President, I wish to explain my vote. Although our faction has a Civil Service Commission as one of the planks in our platform, I think we are way out of the way in trying to set up this commission at this time, when money is so hard to get. This \$11,000 won't begin to do the work—it would cost \$50,000. Therefore, I vote "No."

The President announced that the Senate would be on the 8th Order of Business.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 229. A Concurrent. Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

Senator Fowler moved that the rules be suspended and House Concurrent Resolution No. 229 be adopted, which motion prevailed.

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

Senator Thorson moved that the rules be suspended and House Concurrent Resolution No. 230 be adopted, which motion prevailed.

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

Senator Guthrie moved that the rules be suspended and House Concurrent Resolution No. 231 be adopted, which motion prevailed.

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

Senator Braun moved that the rules be suspended and House Concurrent Resolution No. 224 be adopted, which motion prevailed.

Senator Watt moved that the Secretary of the Senate be instructed to write to the state departments calling their attention to the fact that only five days are left to introduce appropriation bills and that the records of the Senate show that they have been notified, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163a1 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

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

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof. Was read the first time and referred to the Committee on State Affairs.

House Bill No. 152. A Bill for an Act Amending and Reenacting Section 4446 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 151 of the Session Laws of 1923 Relating to the Adoption of Minor Children.

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

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, and 6 of Chapter 266 of the Session Laws of 1927, as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 6, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 77. A Bill for an Act to Amend and Re-enact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 266 of the Session Laws of 1927 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency. Which the President has signed.

WM. J. LOWE, Secretary. Senator Blaisdell moved that the Senate do now recess until 1:00 P. M., Tuesday, February 7th, which motion prevailed.

And the Senate stood recessed.

WM. J. LOWE, Secretary.

THIRTY-FIFTH DAY AFTER RECESS AND THIRTY-SIXTH DAY

Bismarck, February 7, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess, Senator Wog presiding.

The presiding officer announced that the Senate would be on the 8th Order of Business for the reading of Senate Concurrent Resolutions.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Blank, Fowler and Braun introduced:

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

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

Senators Thatcher and Stucke introduced:

Senate Concurrent Resolution No. 201. An Act to Amend Section 186 of the Constitution of the State of North Dakota as Amended by Initiative Measure Submitted to the People of the State of North Dakota at the Primary Election Held on June 28, 1938, Providing for the Payment of Public Monies Into the State Treasury.

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

Senator Brant introduced:

Senate Concurrent Resolution No. 209. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota, Relating to Taxation.

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

FIRST READING OF SENATE BILLS

Senators Blaisdell, Guthrie, Fowler and Thorson introduced:

Senate Bill No. 186. A Bill for an Act Providing the Maximum Salary or Compensation Which May Be Paid to or Received by Any Member, Appointee or Employee of Any Board, Bureau, Commission or Department of the State of North Dakota and Providing Penalties for Violation of This Act.

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

The Committee on Education introduced:

Senate Bill No. 187. A Bill for an Act to Permit School

Districts, Not Maintaining High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

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

The Committee on Education introduced:

Senate Bill No. 188. A Bill for an Act to Amend and Reenact Sections 1504 and 1518 of the 1925 Supplement to the Compiled Laws of 1913 With Reference to the Amount and Period of Assessments for and the Amount and Qualifications for Benefits From the Teachers' Insurance and Retirement Fund.

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

The Committee on Education introduced:

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

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

The Committee on Education introduced:

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

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

The Committee on Education introduced:

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 1506 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1506 of the 1925 Supplement to the Compiled Laws of 1913, and to Amend and Re-enact Section 1517 of the Compiled Laws of 1913, as Amended and Re-enacted by Section 1517 of the 1925 Supplement to the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

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

The Committee on Education introduced:

Senate Bill No. 192. A Bill for an Act to Amend and Reenact Section 1519 of the Compiled Laws of 1913, pertaining to the Teachers' Insurance and Retirement Fund.

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

Senator Olson of Mountrail introduced:

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

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

Senators Guenther, Blaisdell, and Young introduced: Senate Bill 194. A Bill for an Act to Amend and Reenact Section 7971 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Against Usurping Officers and Persons.

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

Senator Morgan introduced:

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, which is an act Making an Appropriation to be expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

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

Senators Guthrie and Lian introduced:

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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 Corporations.

Senators Guenther, Blaisdell and Young introduced:

Senate Bill No. 197. A Bill for an Act to Amend and Reenact 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 first time and referred to the Committee on Public Health.

Senators Wog and Brant introduced:

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Senator Guthrie introduced:

Senate Bill No. 199. A Bill for an Act Providing for a State Resources Committee, Defining the Powers and Making an Appropriation Therefor.

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

Senators Thatcher and Blank, (by request), introduced:

Senate Bill No. 200. A Bill for an Act to Amend and Reenact Section 2588, of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended, Relating to the Payment of Treatment of Patients at the North Dakota Tuberculosis Sanitarium.

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

The Committee on Agriculture and Livestock introduced:

Senate Bill No. 202. A Bill for an Act to Amend and Reenact Chapter 193, Session Laws of 1933, Relating to the North Dakota Mill and Elevator Association.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senator Thorson introduced:

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Whelan and Lian introduced:

Senate Bill No. 204. A Bill for an Act Permitting County Commissioners to Publish Delinquent Real Estate Tax Sale Notices in the Legal Newspapers of the County, 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 Counties.

Senators Whelan and Lian introduced:

Senate Bill No. 205. A Bill for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, 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 Public Welfare.

Senators Morrison, Thorson, Wog and Nelson (Grand Forks) introduced:

Senate Bill No. 206. A Bill for an Act Making an Appropriation for the Organization and Development by the State Industrial Commission of Co-operative Trucking Districts.

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

Senators Morrison, Blank, Thatcher, and Nelson (Grand Forks) introduced:

Senate Bill No. 207. A Bill for an Act to Amend and Reenact Section 2, of Chapter 193, of the Laws of 1933, to Enlarge the Scope of Business Which May Be Transacted by the North Dakota Mill and Elevator Association.

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

Senators Morrison, Streibel, Young and Magoffin introduced:

Senate Bill No. 208. A Bill for an Act to Encourage the Investment of Monies in the State of North Dakota, and to Encourage the Development of Industries and Resources in the State of North Dakota, Providing for Exempting, for a Period of Five Years, All of the Property of New Business Places, Hereafter Entered Into in the State of North Dakota, Whether the Same Be by Corporations, Firms, or Individuals, Providing That the Same Shall Only Apply Where Twentyfive Thousand Dollars or More of Capital From Without the State of North Dakota, is Invested in Such Industry or Business Place, Within the State of North Dakota; 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.

Senator Troxel introduced:

Senate Bill No. 210. A Bill for an Act to Provide for the Manner of Sale and of Leasing Lands Owned by the State and Acquired Through Foreclosure of Mortgages Given the Bank of North Dakota or by Deed Given in Lieu of Foreclosure, Making the Boards of Township Supervisors of the Various Townships the Agents of the State for Such Purpose, Fixing the Fees and Expenses of the Township Supervisors for Such Services; Repealing All Acts and Parts of Acts Inconsistent Herewith, and Declaring an Emergency.

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

Senator Troxel requested that Senate Bill No. 210 be not printed, as there are two additional sections to be put in, which request was granted.

Senator Thatcher introduced:

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

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

Senators Morrison, Owings and Dahl introduced:

Senate Bill No. 212. A Bill for an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the By-Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

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

Senator Guthrie introduced:

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith. Was read the first time and referred to the Committee on State Affairs.

Senator Brant introduced:

Senate Bill No. 214. A Bill for an Act to Amend and Reenact Section 2186 of the Compiled Laws of North Dakota for 1913, Relating to Taxes, and Declaring an Emergency.

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

The Committee on Public Safety introduced:

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and 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 Safety.

Senators Lemke, Stucke and Thatcher introduced:

Senate Bill No. 216. A Bill for an Act to Amend and Reenact Chapter 284, of the 1927 Session Laws of the State of North Dakota, Providing for the Investment of Monies in the Workmen's Compensation Fund, and Making an Appropriation for Such Investments.

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

Senator Guthrie introduced:

Senate Bill No. 217. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775, and 7776 of the Compiled Laws for 1913, Dealing With Amercement of the Clerk of Court and Sheriff and Procedure, and Abolishing Amercement Proceedings.

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

Senators Thorson, Isaak, Braun and Flatt introduced:

Senate Bill No. 218. A Bill for an Act to Amend and Reenact Section 9, of Chapter 311 of the Session Laws for the Year 1931, as Amended and Re-enacted by Chapter 269, of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures.

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

The Committee on State Affairs introduced:

Senate Bill No. 219. A Bill for an Act to Amend and Reenact Sections 2, 3, 4 and 5 of the Initiated Act Adopted June 28, 1938, Establishing the State Laboratories Department; Placing the Department Under the Management of **a** State Food Commissioner and Chemist; Abolishing the Office of Director; Providing for Special Inspectors; Providing for the Qualifications of Employes and Inspectors.

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

The Committee on State Affairs introduced:

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Senate Bill No. 220. A Bill for an Act to Provide a Building Fund for the State Laboratories Department, and Making an Appropriation Therefor. Was read the first time and referred to the Committee on Appropriations.

Senators Thatcher and Blank, (by request), introduced:

Senate Bill No. 221. A Bill for an Act to Amend and Reenact Sections 1717 and 1718 of the Compiled Laws of the State of North Dakota for the Year 1913.

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

The Committee on Appropriations introduced:

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

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

Senator Morrison introduced:

Senate Bill No. 223. A Bill for an Act Authorizing the Sale of Farm and Grazing Lands by the State of North Dakota, Establishing a Real Estate Board of the State of North Dakota, Defining Its Duties, and Procedure and Terms, Declaring an Emergency.

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

Senators Thatcher and Blank, (by request), introduced:

Senate Bill No. 224. A Bill for an Act to Amend and Reenact Sections 2568 and 2579 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 143, of the Session Laws of the State of North Dakota for the Year 1937, Providing for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be a Charge Against the State of North Dakota, and Shall in Certain Instances Be Chargeable Against the Estate of Such Persons, and Repealing All Acts in Conflict Therewith.

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

The Committee on Insurance introduced:

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

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

Senator Fredrickson moved that Senate Bill No. 225 be referred to the Committee on Insurance, without printing, which motion prevailed.

Senator Whelan moved that the Senate do now recess for five minutes, which motion prevailed.

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

FIRST READING OF SENATE BILLS

Senators Whelan and Olson of Mountrail introduced:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops

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to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

Senators Raschko, Leum and Magoffin introduced:

Senate Bill No. 227. A Bill for an Act to Provide That Municipal Corporations and Religious, Charitable and Educational Institutions Not Operated for Profit Shall Be Billed and Charged by Public Utilities on a Unit Basis; and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Holl introduced:

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain Schools Lands Situated in Williams County, State of North Dakota, to Williams County to Be Used and Maintained as a Public Park and Authorizing the Exchange of the County Land Therefor.

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

The Committee on Public Welfare introduced:

Senate Bill No. 229. A Bill for an Act Defining "Boarding Home for the Aged and Infirm"; Providing for the Licensing and Regulating of Such Homes by the State Board of Health in Coordination With the Public Welfare Board; and for Making Such Rules as May Be Necessary to Carry Out the Purpose of This Act; Providing for a Penalty, and Declaring an Emergency.

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

Senators Whelan and Flatt introduced:

Senate Bill No. 230. A Bill for an Act to Enact the Control of Refined Nuisances, Such as Beauty Contests or Queen Contests or King Contests, or Any Other Popular Contests, Providing a Penalty Therefor and Declaring an Emergency.

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

Senators Fowler and Whelan introduced:

Senate Bill No. 231. A Bill for an Act to Amend and Reenact Section 9255 of the Compiled Laws of North Dakota, 1913; Relating to Crimes Against the Elective Franchise; Soliciting and Contributing for Elections; Punishments and Exceptions.

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

Senator Drew moved that Senate Bill No. 100 which was referred to the Committee on Public Health be re-referred to the Committee on Public Welfare, which motion prevailed.

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

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

THIRTY-SIXTH DAY

The Senate convened at 2:00 P. M., the president presiding.

Prayer by the Chaplain, the Reverend Father Tracy.

Roll Call: All Senators present except Brant and Kamrath.

The Committee on Revision and Correction of the Journal made the following report: Mr. President: Your Committee on Revision and Correc-

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-third day after recess and Thirty-fifth day and recommend that the same be corrected as follows:

On page 228, in line 41, after the figures "75%," add the words "in determining the final ranking in any classification of positions."

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 7, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6 and Section 8 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act to Amend and Reenact Section 29 of Chapter 179 of the Session Laws of 1927 as Amended by Chapter 165 of the Session Laws of 1929 and Chapter 186 of the Session Laws of 1931, Relating to When Fees on Motor Vehicles Become Delinquent, Providing Penalties, Providing for the Collection Thereof, and Declaring an Emergency.

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 48. A Bill for an Act to Amend and Reenact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repeal-

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ing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

The Secretary read a communication from the teachers and school board members of Excelsior School Dist. No. 42 of Kidder County, presented by Senator Morrison, requesting aid in cashing teachers warrants and keeping the schools open.

Referred to the Committee on Education.

The Secretary read a communication presented by Senator Olson of Mountrail from R. T. Clouston of Plaza relating to religious considerations involved in capital punishment, citing the Sermon on the Mount.

Referred to the Committee on State Affairs.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 7, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 103. 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.

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 81. A Concurrent Resolution Providing and Designating House and Senate Employes and Naming and Fixing Their Salaries; Legislative Assembly.

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution No. 67.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 2.

And find the same correctly engrossed.

. W. J. TROUT, Chairman.

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

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

Senate Bill No. 3.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bill:

Senate Bill No. 5.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Resolution No. "C."

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 83, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 107, have had the same under consideration and recommend that the same do pass. JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the Title, after 1927 insert the word "and." And when so amended recommend the same do pass. JAMES W. GUTHRIE, Chairman.

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

Mr. President: A Minority of Your Committee on State Affairs to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same be indefinitely postponed.

> M. R. YOUNG H. C. GUENTHER WM. WATT A. W. FOWLER T. E. WHELAN ROBERT GREISER GUST WOG BEN GILBERTSON

Mr. President: A Majority of Your Committee on State Affairs to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same do pass.

C. C. MORRISON ANDREW SKARVOLD N. N. NELSON G. F. DREW R. A. OWINGS R. R. MORGAN AXEL OLSON A. N. LAVIK J. B. BRIDSTON

Senator Stucke moved that the report of the majority be adopted.

Senator Young made a substitute motion that the word "minority" be substituted for the word "majority," which motion lost.

Senator Fowler made a substitute motion that Senate Bill No. 81 be placed on the calendar for second reading and final passage on the Thirty-seventh Day, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 96, have had the same under consideration and recommend that the same be amended as follows:

In line 20, strike out the following language, "the State, or." In line 23, strike out the following language, "including the

State."

In line 24, strike out the following language, "of North Dakota."

In line 27, strike out the following language, "the State of North."

Strike out all of line 28, and in line 29, strike out the following language, "and employes thereof." In lieu thereof, insert the following language, "any Political sub-division above named."

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 117, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 85, have had the same under consideration and recommend that the same be indefinitely postponed.

E. C. STUCKE, Chairman.

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

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 86, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 116, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 135, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 76 to 93, inclusive. Insert in lieu thereof the following: "Cases arising under this section shall have precedence over all other civil cases. Any judgment hereafter obtained in any action under this Act shall be a prior lien over all other judgments and liens, except those in existence prior to the original enactment of this provision; Provided, that the lien of any such judgment hereafter obtained shall be junior and inferior to any and all mortgages, liens or judgments theretofore recorded, filed or docketed and held by the United States of America, or any agency or instrumentality thereof."

And when so amended, recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted.

Senator Olson of Mountrail made a substitute motion that Senate Bill No. 32 be indefinitely postponed.

Senator Fowler requested a roll call on the substitute motion of Senator Olson that Senate Bill No. 32 be indefinitely postponed, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Olson of Mountrail that Senate Bill No. 32 be indefinitely postponed, the roll was called and there were ayes, 13; nays, 34; absent and not voting, 2.

Those voting in the	affirmative were:	
Bilden	Olson, Mountrail	Stucke
Greiser	Owings	Thatcher
Morrison	Skarvold	Thorson
Nelson, McKenzie	Streibel	Tweten
Olson, McHenry		

Those voting in	the negative were:	
Aandahl	Gilbertson	Magoffin
Aasen	Gronvold	Morgan
Beaton	Guenther	Nelson, Grand Fks.
Blank	Guthrie	Raschko
Blaisdell	Hill	Торр
Bridston	Holl	Trout
Braun	Isaak	Troxel
Dahl	Lavik	Watt
Drew	Lemke	Whelan
Flatt	Leum	Wog
Fowler	Lian	Young
Fredrickson		

Absent and not voting:

Brant

And the motion was declared lost.

Senator Beaton: Mr. President: I vote "no," not because I want this bill indefinitely postponed, but because my constituents in Cass County want me to so vote."

Kamrath

Senator Bilden: Mr. President: I wish to explain my vote. Conditions in my district are such that loans could be made should the Federal Land Bank again accept applications from the farmers in this State, but I am against the idea of a sovereign state giving priority to any outside agencies. I vote "aye."

Senator Greiser: Mr. President: I vote "aye" for the reason that this bill does not treat all loaning agencies alike.

Senator Olson of Mountrail: Mr. President: I don't believe

in crucifying private capital and building a government monopoly of finance, therefore I vote "no."

Senator Blaisdell moved that Senate Bill No. 32 be rereferred to the Committee on State Affairs for further amendments, which motion prevailed.

Mr. President: Your Committee on Public Safety to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same be indefinitely postponed.

ANDREW SKARVOLD, Chairman.

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

Senator Bridston moved that the letter of appreciation from Mrs. John L. Hulteng be printed in the Journal, which motion prevailed.

Grand Forks, N. D., February 5, 1939.

To the Members of the Senate of the Twenty-sixth Legislative Assembly:

John, Jr., and I join in extending to you our sincere thanks for your resolution of sorrow in memory of our beloved husband and father, the late Senator John L. Hulteng.

We appreciate your sympathy and sincerity, and we are especially grateful to the members of the special committee that framed the resolution.

Sincerely,

MRS. JOHN L. HULTENG.

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

Senator Lian moved that the Senate recess for ten minutes, which motion prevailed, and the Senate stood recessed.

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

Senator Thatcher moved that Senate Bills No. 200, 221 and 224 be withdrawn for the reason that they are duplicates of bills being acted upon in the House, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Resolution C. A Resolution Relating to the Eradication of Grasshoppers by Arsenic Poison.

Was read the second time.

Senator Thorson moved the adoption of Senate Resolution "C" which motion prevailed and Senate Resolution "C" was declared adopted.

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Was read the second time.

Senator Thorson moved the adoption of Senate Concurrent Resolution No. 106, which motion prevailed and Senate Concurrent Resolution No. 106 was declared adopted.

Senator Holl moved that Senate Concurrent Resolution No. 106 be printed in the Journal which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 106 Introduced by Senator Holl

A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to determine if a Trust Exists Exercising Unfair Practices to the detriment of the Agricultural Commonwealth.

1 WHEREAS, The Government of the United States is

2 largely dependent upon Agriculture as one of its basic

3 industries, the solvency of which must be assured if we

4 are to continue as a happy and prosperous nation, and 5 WHEREAS, All attempts by the government or inde-5a pendent

6 agencies to appreciably narrow the spread between the

7 prices received by the farmer or agriculturist for the

8 products he has to sell and the price said farmer or agri-

9 culturist has to pay for the necessary equipment or 9a machin-

10 ery to the successful operation of said agricultural indus-11 try has been of no avail, and

12 WHEREAS, The farmer or agriculturist for the past 13 many continuous years has been been compelled to accept 13a prices

14 for his products much below the cost of production, while

15 at the same time he has been compelled to pay ever-

15a increas-

16 ing prices for the machinery and equipment essential to 16a the

17 successful operation of said agricultural industry,

17a bringing

18 about a recognized condition where the purchase of new 18a or

19 replacement machinery is almost prohibitive, as for 19a example

20 during the year 1915 a farmer could buy a binder in 20a exchange

21 for approximately 145 bushels of wheat, while during 21a the

22 year 1938 it would require approximately 1050 bushels to

23 replace the same machine, notwithstanding the ever-23a increas-

24 ing supply of raw materials essential to the manufacture 24a of

25 machinery and equipment leading toward and actually 25a bringing

26 about a lower market price to the manufacturer, and

27 WHEREAS, The price spread between what the farmer 27a or

28 agriculturist receives for the products he has to sell

29 and what the ultimate consumer has to pay appears to 29a be

30 sufficient to afford the producer the cost of production, 31 and

32 WHEREAS, There is an ever-growing belief on the 32a part

33 of the Agricultural Commonwealth to the effect that 33a an

34 implement trust does in fact exist, exercising unfair 35 practices to the detriment of agriculture, and

36 WHEREAS, There is entertained a further belief of 37 sinister motives and unfair practices on account of the 38 immensity, financial ability and influence arising there-39 from on the part of said farm implement manufacturers 39a by

40 and between said manufacturers and the various Federal 41 Agencies, such as the Soil Conservation Department, the 42 Department of Agriculture and the officials whose duty 42a it

43 is to impose duties and tariffs through the prohibition 43a of

44 the use of certain farm implements, such as the mold-44a board

45 plow, etc., making necessary the purchase of new equip-45a ment;

46 the forbidding of farmers to raise flax while at the same

47 time permittting large imports of flax from foreign coun-

48 tries to the detriment of the United States farmer; lead-48a ing

49 to the conclusion that the said United States farmer was

50 sold down the river so that the door would be left open

51 and enable the farm implement manufacturers to sell

51a their

52 wares to the countries favored with such imports to this 53 country, and

54 WHEREAS, the farmer is anxious to co-operate with 55 the Federal Government on any stable plan to benefit 56 agriculture, but finds it a physical and financial impos-57 sibility to keep abreast of the kaleidoscopic changes in 58 policies of the Department of Agriculture requirements, 58a and,

WHEREAS, Thomas Jefferson once said, "I have sworn 59 60 on the Altar of God eternal hostility against any form of 61 tyranny over the mind of man; I am for freedom of speech and freedom of the press; I am opposed to silence by force 62 instead of reason, any complaint or criticism, just or unjust, by our people against the government," and further left with us this admonition, "Were we directed 63 64 65 from Washington when to sow and when to reap, we 66 should soon want bread"; 67

68 NOW, THEREFORE, BE IT RESOLVED by the 69 Senate of the State of North Dakota, the House of Rep-70 resentatives concurring, that we petition and urge the 71 Congress of the United States to institute immediately 72 an investigation into all matters contained herein and to 73 enact such laws that will eliminate the abuses complained 74 of to the end that the farmers of this Nation may receive the cost of production for their products and there-75 76 by be placed on a parity with other forms of industry, and BE IT FURTHER RESOLVED, That attested copies 77 of this resolution be sent to both Houses of Congress of 78 79 the United States, to each of the members thereof from 80 this State, and to the Secretary of Agriculture, all of 81 Washington, D. C.

Senate Concurrent Resolution No. 129. A Concurrent Resolution Memorializing Congress to Support the Proposed Legislation Prohibiting Retro-active Federal Taxation of State and Municipal Securities and Employes.

Was read the second time.

Senator Guthrie moved that Senate Concurrent Resolution No. 129 be adopted, which motion prevailed and Senate Concurrent Resolution No. 129 was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2. 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 the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Bridston	Lavik	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Absent and not voting:

Blaisdell

Topp

Brant Lemke

So the bill passed and the title was agreed to.

Kamrath

Senator Watt requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Watt moved that action on Senate Bill No. 3 be delayed one legislative day, which motion prevailed.

Senator Whelan moved that the Sub-committee of the Committee on Education consisting of Senators Guthrie, Morgan and Streibel be excused to interview the State Bonding Department relative to the purchasing of teacher

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warrants and correspondence relative to the "Jackpot Bill," which motion prevailed.

The President announced that Senators Guthrie, Morgan and Streibel would be excused to make such interview.

The President announced that the Senate would return to the 11th Order of Business.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

the arrithactive were.	
Gronvold	Owings
Guenther	Raschko
Hill	Skarvold
Holl	Stucke
Isaak	Thatcher
Lavik	Thorson
Leum	Topp
Lian	Trout
Magoffin	Troxel
Morrison	Tweten
Nelson, Grand Fks.	Watt
Nelson, McKenzie	Whelan
Olson, McHenry	Wog
Olson, Mountrail	Young
	Gronvold Guenther Hill Holl Isaak Lavik Leum Lian Magoffin Morrison Nelson, Grand Fks. Nelson, McKenzie Olson, McKenzy

Absent and not voting:

Blaisdell Kamrath Morgan Brant Lemke Streibel

Guthrie

So the bill passed and the title was agreed to.

Senator Dahl moved that action on Senate Bill No. 71 be laid over one day, which motion prevailed.

Senate Bill No. 97. A Bill for an Act to Repeal Subsection 3 of Section 9 of Chapter 249 of the Session Laws of North Dakota for the Year 1937 Requiring Returns of Retail Sales Tax Collections to be Verified by Oath and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Aasen	Gronvold	Owings
Beaton	Guenther	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Stucke
Bridston	Isaak	Thatcher
Braun	Lavik	Topp
Dahl	Leum	Trout

Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Those voting in the		
Olson, Mountrail		

Absent and not	t voting:	
Aandahl	Guthrie	Morgan
Blaisdell	Kamrath	Streibe!
Brant	Lemke	

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

FIRST READING OF HOUSE BILLS

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Bill No. 103. 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.

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 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 Elections.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 81. A Concurrent Resolution Providing and Designating House and Senate Employes and Naming and Fixing Their Salaries; Legislative Assembly.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

And the President signed the same in the presence of the Senate.

Senator Gilbertson moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

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WM. J. LOWE, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 8, 1939.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rabbi Asher T. Katz.

Roll Call: All Senators present.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-Fifth Day after recess and Thirty-Sixth Day and recommends that the same be corrected as follows:

On page 247, third line from the bottom, change "no" to "aye."

In line 9, page 247, strike out the word "which" and all of line 10.

In line 36, page 245, strike out the words "the report" and in line 37, strike out the words "of the Committee on State Affairs on."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 8, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 97. A Bill for an Act to Repeal Subsection 3 of Section 9 of Chapter 249 of the Session Laws of North Dakota for the Year 1937 Requiring Returns of Retail Sales Tax Collections to be Verified, by Oath and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 2. 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.

Senate Bill No. 74. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Power, Duř.

ties 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.

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Senate Concurrent Resolution No. 129. A Concurrent Resolution Memorializing Congress to Support the Proposed Legislation Prohibiting Retro-active Federal Taxation of State and Municipal Securities and Employes.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 81. A Concurrent Resolution Providing and Designating House and Senate Employes and Naming and Fixing Their Salaries; Legislative Assembly.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

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

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution No. 64.

Was delivered to the Secretary of State at the hour of 2:10 o'clock P. M., February 8, 1939.

W. J. TROUT, Chairman.

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

Senate Bill No. 3.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 74.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 126.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 96.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 134, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 111, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

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

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

Senate Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, strike out all of line 2 and that portion of line 3 to and including the figure "\$189,082.00" and in lieu thereof insert the following: "The sum of \$335,000.00 out of the County care and institutional collection funds of the institution hereafter named and the sum of \$185,006.00 out of the State Treasury, not otherwise appropriated." In line 9, strike out the figure "\$6,592.00" and insert in lieu thereof the figure "\$6,000.00". In line 11, strike out the figure "\$157,792.00" and insert in lieu thereof the figure "\$180,-000.00." In line 15, page 2, strike out the figure "\$3,200.00" and insert in lieu thereof the figure "\$2,700.00." In line 16, and insert in heu thereof the figure \$2,100.00. In file 16, strike out the figure "\$3,500.00" and insert in lieu thereof the figure "\$3,000.00." In line 17, after the word "etc." add the following: "Available July 1, 1939," and strike out the figure "\$15,500.00" and insert in lieu thereof the figure "\$8,-000.00." In line 20, strike out the figure "\$2,200.00" and insert in lieu thereof the figure "\$1,500.00." Following the line 27 insert a new line to read "Farm and Corder" and line 27, insert a new line to read "Farm and Garden" and the figure "\$7,500.00." In line 32, strike out the figure "\$456,182.00" and insert in lieu thereof the figure "\$476,-098.00." Strike out all of line 33. Strike out all of line 34. In line 38, page 3, strike out the words "Boiler house" and insert in lieu thereof the words "Ash conveyor and well." Strike out all of line 40. Strike out all of line 46. Strike out all of line 47. In line 50, strike out the words "and in-cidentals" and insert in lieu thereof "supplies." Strike out all of line 51. In line 53, strike out the figure "\$6,000.00" and insert in lieu thereof the figure "\$5,508.00." In line 54, strike out the figure "\$189,082.00" and insert in lieu thereof the figure "\$520,006.00." Re-number all lines starting with line 3 in numerical order.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 4 be printed in the Journal and adopted without being read, which motion prevailed.

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

House Bill No. 74, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Sections 1, 2, 3 and 4 and in lieu thereof insert the following: "SECTION 1. Whereas, according to the report submitted to the Appropriations Committee of the Senate by the Executive Secretary of the State Welfare Board, all funds that were appropriated by the 25th Legislative Assembly for relief purposes have been dissipated contrary to Section 5, Chapter 214 of the 1937 Session Laws, and in direct violation of Chapter 12 of the 1937 Session Laws, and whereas, it is not the intent of the Legislature to penalize the needy of this state."

In Section 5, line 2, strike out the line "to and including North Dakota," and insert in lieu thereof the following: "The State Treasury in the Retail Sales Tax Fund created by Chapter 276, Laws of 1935 not otherwise appropriated." In line 3, Section 5, after the word "fund," insert the following language: "As a deficiency emergency appropriation."

In line 8, Section 5, strike out the figure "\$426,748.00" and insert in lieu thereof the figure "\$392,740.42." In line 13a, strike out the figure "\$330,750.00" and insert in lieu thereof the figure "\$327,467.25." In line 13b, strike out the figure "\$37,500.00 and insert in lieu thereof the figure "\$28,-125.00." In line 13c, strike out the figure "\$48,000.00" and in lieu thereof insert the figure "\$36,000.00." In line 13d, strike out the figure "\$31,500.00" and in lieu thereof insert the figure "\$23,650.00." In line 13, Sub-Total Item 1, strike out the figure "\$447,750.00" and insert in lieu thereof the figure "\$415,242.25." On page 4, line 2a, strike out the figure "\$8,571.00" and insert in lieu thereof the figure "\$7,856.75." In item 2b1, strike out the figure "\$5,143.00" and insert in lieu thereof the figure "\$4,714.42." Item 2b2 strike out the figure "\$857.00" and insert in lieu thereof the figure "\$785.58." In item 2b3, under postage, strike out the figure "\$643.00" and insert in lieu thereof the figure "\$589.42." In line 2b3 following "telegraph and telephone" strike out the figure "\$279.00" and insert in lieu thereof the figure "\$255.75." In item 2b4 strike out the figure "\$1,284.00" and insert in lieu thereof the figure "\$1,177.00." In item 2b5 strike out the figure "\$279.00" and insert in lieu thereof the figure "\$255.75." Strike out all of line 2b6. In line 2b7, strike out the figure "\$342.00" and insert in lieu thereof the figure "\$313.50." In line 2b8 strike out the figure "\$171.00," and insert in lieu thereof the figure "\$156.75." In item 2b9 strike out the figure "\$429.00" and insert in lieu thereof the figure "\$393.25." In the line following 2b9 "Total Administrative Expense" strike out the figure "\$9,427.00" and insert in lieu thereof the figure "\$8,641.67." In the following line "Sub-Total Item 2" strike out the figure "\$17,998.00" and insert in lieu thereof the figure "\$16,498.17." Strike out the figure "\$465,748.00" following "TOTAL EXPENDI-TURE" and insert in lieu thereof the figure "\$431,740.42." Strike out the figure "\$426,748.00" following "NET APPRO-

PRIATION" and insert in lieu thereof the figure "\$392,-740.42."

Re-number Sections 5 and 6 to read "Sections 2 and 3." Renumber lines 7, 8 and 9 in line 13-2 to read "6, 7 and 8."

Senator Watt moved that the report of the Committee on Appropriations on House Bill No. 74 be printed in the Journal and adopted without being read, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution No. 94, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same do pass. G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

After line 85 and before line 86 insert the following: "And it is further provided that the State Agency may use funds appropriated to the Public Welfare Fund for old age assistance to pay the entire costs of old age assistance, not paid by the Federal Government, in payment of old age assistance grants to those persons who meet the following requirements:

Who were formerly cared for by the Federal Tran-(1)sient Bureau;

- (2)Whose residence cannot be determined to be in any county in North Dakota or in any other State in the United States;
- Who have resided in North Dakota for five years and (3)who meet all the other State requirements for old age assistance."

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 101, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 98, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations.

E. H. BRANT, Chairman.

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

The President announced that Senate Bill No. 109 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Banks and Banking to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: The Majority of Your Committee on State Affairs to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG AXEL OLSON T. E. WHELAN J. B. BRIDSTON H. C. GUENTHER ANDREW SKARVOLD A. N. LAVIK C. C. MORRISON R. A. OWINGS WM. WATT

Mr. President: The Minority of Your Committee on State Affairs to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same be indefinitely postponed.

G. F. DREW ROBERT GREISER GUST WOG BEN GILBERTSON R. R. MORGAN N. N. NELSON A. W. FOWLER

Senator Young moved that the report of the majority of the Committee on State Affairs be adopted.

Senator Drew moved that the word "minority" be substituted for the word "majority."

Senator Young demanded a roll call on the motion of Senator Drew, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Drew, the roll was called and there were ayes, 11; nays, 38; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Gilbertson	Trout
Beaton	Greiser	Tweten
Drew	Morgan	Wog
Fowler	Nelson, Grand Fks.	

Those voting in the negative were:

I TOUGO TOUTING I	in the hegative here.	
Aasen	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Flatt	Magoffin	Troxel
Fredrickson	Morrison	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Young
Guthrie	Olson, Mountrail	

So the motion was declared lost.

The question being on the original motion of Senator Young, the motion was carried.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 8, 1939.

Mr. President: I have the honor to return: Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 36. 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.

House Bill No. 70. A Bill for an Act Providing for and Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalties; Repeal.

House Bill No. 121. A Bill for an Act to Amend and Reenact Article 41, Chapter 38, 1913 Compiled Laws, to Regulate the Licensing, Registration, Sale, Inspection, Sampling and Analysis of Commercial Fertilizers, Superphosphates and Fertilizer Materials in the State of North Dakota, and to Repeal All Laws and Parts of Laws in Conflict Therewith.

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

House Bill No. 204. A Bill for an Act to Provide for Better Control and Regulation of the Sale of Alcohol, Alcoholic Beverages and Intoxicating Liquors Within the State of North Dakota; to License the Importation Thereof; to Provide for the Issuance and Cancellation of Importers' Licenses and Set the Fees Therefor; Provide for the Disposition of Said Fees; to Provide Penalties and Declaring an Emergency. Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return: Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that the report of the Sub-Committee on Education on their interview with the Bonding Department be read from the desk.

Senator Morgan made a substitute motion that this report be held up until the Sub-Committee on Education had an opportunity to confer further, which motion prevailed.

Senator Fowler moved that Senate Bill No. 81 be placed on second reading and final passage.

The President announced that the Senate would be on the Eleventh Order of Business for the reading of Senate Bill No. 81.

The President called Senator Owings to the chair to preside.

The presiding officer called for discussion on Senate Bill No. 81.

The President resumed the Chair.

Senator Morrison requested a Call of the House, which request was granted.

Senator Blaisdell moved that further Call of the House be dispensed with, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 81. A Bill for an Act to Promote the Organization of Trade Groups for the Purpose of Co-operative Action Among Such Trade Groups; Empowering the Securities Commission to Investigate and Prescribe Reasonable Codes and Standards of Fair Competition; to Provide for Assessments to Defray the Cost of Investigation; Administration and Enforcement of the Act; Providing Penalties; Providing for the Severability of the Act; Repealing All Acts and Parts of Acts in Conflict Herewith; Limiting the Duration of the 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, 14; nays, 30; absent and not voting, 5.

Those voting in the	affirmative were:	
Drew	Morgan	Skarvold
Flatt	Nelson, McKenzie	Stucke
Fredrickson	Olson, McHenry	Thatcher
Holl	Olson, Mountrail	Topp
Kamrath	Owings	
Those voting in the	negative were:	
Aandahl	Guenther	Raschko
Aasen	Guthrie	Streibel
Beaton	Hill	Thorson
Blaisdell	Isaak	Trout
Brant	Lavik	Troxel
Dahl	Lemke	Tweten
Fowler	Leum	Watt
Gilbertson	Magoffin	Whelan
Greiser	Morrison	Wog
Gronvold	Nelson, Grand Fks.	Young
Absent and not voti	ing:	
Bilden	Bridston	Lian
Blank	Braun	

So the bill was declared lost.

Senator Morrison: "Mr. President, I wish to change my vote from 'aye' to 'no' for the purpose of reconsideration."

Senator Whelan 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.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution No. 67.

Was delivered to the Secretary of State for his approval at the hour of 3:45 o'clock P. M., February 8, 1939.

W. J. TROUT, Chairman.

Senator Whelan requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Whelan moved that the report of the Sub-Committee on Education on their interview with the Bonding Department be read from the desk, which motion prevailed.

Senator Blaisdell moved that the report of the Sub-Committee on Education as read from the desk, be printed in the Journal, which motion prevailed.

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EXHIBIT A

STATE FIRE AND TORNADO FUND OF NORTH DAKOTA Bismarck

February 3, 1939.

Dear School Officer:

We are indeed very sorry that it becomes necessary to advise you that we are compelled to discontinue buying your registered warrants issued in payment of teachers' salaries.

The reason is this: At the Primary Election in 1938, the NORTH DAKOTA TAXPAYERS' ASSOCIATION successfully sponsored the initiation of the so-called "Jackpot" amendment to the North Dakota constitution. That amendment becomes a part of our North Dakota constitution.

This Department, together with several others, asked the North Dakota Supreme Court for an interpretation of the provisions in this amendment, which the said court termed as being ambiguous and uncertain. The decision of the court was received a few days ago. The decision, among other things, states:

"There is no appropriation, for instance, for administrative purposes. It is apparent, therefore, that no disbursement may be made for such purposes, or any other purposes other than those specified in the Constitutional amendment, except pursuant to specific legislative appropriation."

This means that before we can purchase any warrant or warrants from you or any other district, it would become necessary to procure a "specific legislative appropriation" for that purpose. This would be impossible, due to the fact that the legislature is in session only sixty days during a two-year period.

We regret very much that this valuable service to the teachers of North Dakota must be terminated. We have been buying warrants at par value from approximately forty per cent of the districts in the state. To January 1, 1939, we had purchased registered salary warrants in the total sum of \$3,037,229.78, of which the school districts have redeemed the sum of \$1,948,537.42, leaving a balance on hand of \$1,088,692.36.

To place the responsibility where it belongs and to keep the record straight, we advise you that this "Jackpot" constitutional amendment was sponsored by the North Dakota Taxpayers' Association, which association in our opinion, is nothing but a huge political organization, financed and dominated by large corporations, utilities, railroads and its like. These politicians hide behind an attractive and deceitful cloak, by calling themselves the North Dakota Taxpayers' Association and operate to the detriment of the taxpayers as a whole. This is the same association, that in 1932 sponsored a law which reduced the tax base from 75 per cent to 50 per cent, and which is the primary cause for the school districts' depressed financial condition at this time.

EXHIBIT B

It might be well for you to write your Representatives and Senators here in Bismarck and ask for their support in having this "Jackpot" constitutional amendment repealed, insofar as it prohibits the buying of registered warrants, so that we may again be able to purchase registered school district warrants issued in payment of teachers' salaries.

Yours very truly,

O. R. VOLD, Manager.

REPORT OF SUB-COMMITTEE OF COMMITTEE ON EDUCATION RE: LETTER SENT OUT BY THE MANAGER OF THE STATE FIRE AND TORNADO FUND

Mr. President:

Your sub-committee of the Senate Committee on Education, to whom was referred the attached letter (Exhibit A), dated February 3, 1939, sent out by O. R. Vold, Manager of the State Fire and Tornado Fund, and to which is attached a rider, (Exhibit B), with instructions to investigate the issuance of said letter, the reasons for sending out the same, begs leave to report as follows: That they proceeded to the Office of the State Commissioner of Insurance and interviewed Mr. O. R. Vold, Manager of said State Fire and Tornado Fund, relative to the letter in question. Mr. Vold stated to your committee:

"We have guit buying school warrants to meet the provisions of the Supreme Court decision on the Jackpot amendment; also to have the fund as liquid as possible on July 1, 1931, when the amendment takes effect." He also further explained that they have asked the Attorney General to petition the Supreme Court for a modified decision exempting special and trust funds from the provision requiring specific appropriation. He also stated that the reason they have suggested to the school officers and teachers of the state to contact their Representatives and Senators is to bring about an amendment to the Jackpot constitutional amendment, exempting special and trust funds from specific legislative appropriation when investments of such funds are desired, that if and when a modified decision is received from the Supreme Court the purchase of warrants will be reconsidered. He further stated that the Attorney General advises that that application for a re-hearing of the Supreme Court decision was filed with the Supreme Court (Tuesday) afternoon, asking that special funds be exempted. He also stated no claim is made that it is legally necessary at this time to discontinue the purchase of school teachers' warrants.

We call particular attention to the following language contained in the letter of February 3rd:

"We are indeed very sorry that it becomes necessary to advise you that we are compelled to discontinue buying your registered warrants issued in payment of teachers' salaries."

We also call specific attention to the rider to the letter which reads as follows:

"It might be well for you to write your Representatives and Senators here in Bismarck and ask for their support in having this Jackpot constitutional amendment repealed, insofar as it prohibits the buying of registered warrants, so that we may again be able to purchase registered school district warrants issued in payment of teachers' salaries." Your committee states that the statement made in the letter "that we are compelled to discontinue buying of registered warrants" is not in accordance with the facts, for the following reasons:

1. The so-called Jackpot Bill does not go into effect until July 1, 1939, and there is no legal or other reason why the purchase of warrants need be discontinued. In fact, this was admitted by Mr. Vold when he stated "no claim is made that it is legally necessary at this time to discontinue the purchase of school teachers' Warrants."

2. For the reason that the Supreme Court did not specifically and directly in its decision hold that the further investment of department funds was prohibited. This is explained by the fact that the Attorney General has already asked the Court for a clarification of the language used in the opinion and not for a re-hearing, or reversal of the opinion.

It is clear to this committee that there is no legal or other reason to justify the refusal to continue the purchase of teacher's warrants, except a change of policy on the part of the department and that there is no reason for such change of policy or for the sending out of this letter to hundreds of school officers and teachers throughout the state, except a desire on the part of the officers in control of the department to discredit the constitutional amendment which was adopted by the people and to lead the people to whom the letters were sent to believe that the legislature should take some action to amend the constitutional provision in question, whereas such an amendment, even though assumed to be necessary, could only be made by a vote of the people themselves at the next ensuing general election, unless a special election is sooner called.

Since the Act does not go into effect until July 1, 1939, and since the question of further interpretation of its decision was placed before the Supreme Court and will be answered in a few days, we suggest that the action of the Department is unfair.

The answer is clear to your committee. The sending out of this letter is intended to attempt to place the responsibility on this Legislature and to serve as an alibi for the Department's failure to act. The statement that the funds must be liquid on July 1, 1939, is not supported by the facts. Even assuming that the so-called "Jackpot" Bill applies to the class of funds in question, the Department would only have to turn over the funds in the condition in which they are on July 1st.

We are making this report at length so that the members of the House of Representatives and the Senate will be fully advised as to what the real situation is and as to what the real outlying motives are, and we recommend that this report be printed in the Senate Journal.

Respectfully submitted, RILIE R. MORGAN, JAMES W. GUTHRIE, R. M. STREIBEL.

Senator Whelan moved that fifteen hundred copies of the report of the Sub-Committee on Education be printed in pamphlet form to be sent out by the Senators and Representatives in response to inquiries, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Absent and not voting:

Bridston Lian

So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill for an Act to Amend and Reenact Chapter 158, Laws of 1933, Relating to the Foreclosure of Real Estate Mortgages by Advertisement.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1. Those voting in the affirmative were:

Those voting in	the affirmative were:	
Aandahl	Greiser	Morgan
Aasen	Gronvold	Morrison
Ponton	Cuanthan	Decables

Beaton	Guenther	Raschko	
Blank	Guthrie	Topp	
Blaisdell	Hill	Trout	
Brant	Holl	Troxel	
Braun	Lavik	Watt	
Flatt	Leum	Whelan	
Fowler	Lian	Wog	
Fredrickson	Magoffin	Young	
Those voting in	the negative were:		
Bilden	Lemke	Skarvold	
Dahl	Nelson, Grand Fks.	Streibel	
Drew	Nelson, McKenzie	Stucke	

Gilbertson	Olson, McHenry	Thatcher
Isaak	Olson, Mountrail	Thorson
Kamrath	Owings	Tweten

Absent and not voting:

Bridston

So the bill passed and the title was agreed to.

Senate Bill No. 71. A Bill for an Act to Amend and Reenact Section 4 of Chapter 249 of the Session Laws of 1937, Providing for Certain Credits and Exemptions and Providing for Payment of a Sales Tax on Sales of Motor Vehicle Fuels Upon Which Refunds of Special Taxes are Allowed, 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, 27; nays, 19; absent and not voting, 3.

Aandahl	the affirmative were: Gilbertson	Magoffin
	Greiser	
Blank		Morgan
Blaisdell	Gronvold '	Nelson, Grand Fks.
Brant	Guenther	Owings
Braun	Guthrie	Thatcher
Dahl	Hill	Торр
Drew	Isaak	Troxel
Fowler	Lavik	Watt
Fredrickson	Lian	Wog

Those voting i	n the negative were:	
Aasen	Nelson, McKenzie	Stucke
Beaton	Olson, McHenry	Thorson
Bilden	Olson, Mountrail	Trout
Holl	Raschko	Tweten
Lemke	Skarvold	Whelan
Leum	Streibel	Young
Morrison		

Absent and not voting: Bridston Flatt

Kamrath

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which Senate Bill No. 71 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morrison: "Mr. President, I think at the present time when the farmers are paying out 18% of their gross income it is terrible to put more tax on farmers.

"Therefore I vote no."

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Absent and not	voting:	
Bridston	Lian	Watt
Flatt		

So the bill passed and the title was agreed to. And the Emergency Clause was declared carried.

Senate Bill No. 96. A Bill for an Act to Provide for the Removal of Certain Public Officers in Said Act Enumerated and Establishing the Procedure Therefor and Repealing Sections 685, 686, 688, 689, 690, 691, 692, 693, 694, and 695 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Sections 687, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481 and 10482 of the Compiled Laws of the State of North Dakota for the Year 1913, and Chapter 230, of the Session Laws of the State of North Dakota for the Year 1927.

Was read the second time.

ROLL CALL

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

I nose voting in	the affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther		and the second se

Those voting in the negative were: Bruun

Absent and not voting:

Bridston Thorson

So the bill passed and the title was agreed to.

Senator Olson of Mountrail moved that further consideration of Senate Bill No. 107 be indefinitely postponed, which motion carried.

Senate Bill No. 126. A Bill for an Act to Amend and Reenact 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 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, 46; nays, 0; absent and not voting, 3.

Those	voting	in	the	affirmative	were:	
and the second second				1.4.		

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hili	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gilbertson	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Gronvold		

Absent and not voting:

Bridston

Kamrath

So the bill passed and the title was agreed to.

Senator Morrison requested that the Senate be on the Eighth Order of Business, which request was granted.

Leum

Senator Morrison moved that Senate Bill No. 111 be printed.

Senator Whelan made a substitute motion that Senate Bill No. 111 be not printed until after action on this bill is taken by the Committee on Taxes and Tax Laws, which motion prevailed.

Senator Streibel moved that the following statement be printed in the Journal: Senators Guthrie, Morgan and Streibel, acting as a Sub-Committee on the Education Committee, were absent because of a request from the Senate that they interview the State Bonding Department when Senate Bills No. 5 and 97 were passed, which motion prevailed.

Senator Stucke moved that the Senate accept the invitation of Warden Loudenbeck to go to the penitentiary for dinner at 5:30 P. M., Thursday, February 9th, which motion prevailed.

Senator Trout moved that the Senate recess, after announcements, until 1:00 P. M., Thursday, February 9th, which motion prevailed.

The Senate stood recessed until 1:00 P. M., Thursday, February 9th.

WM. J. LOWE, Secretary.

THIRTY-SEVENTH DAY AFTER RECESS AND THIRTY-EIGHTH DAY

Bismarck, February 9, 1939.

The Senate re-convened at 1:00 p.m., pursuant to recess taken February eighth, with President Pro-Tem Watt presiding.

The presiding officer announced that the Senate would be on the eleventh order of business.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Was read the second time.

ROLL CALL

The question being on the adoption of the resolution, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 6.

Those voting in	the affirmative were:	
Aandahl	Gilbertson	Owings
Aasen	Greiser	Raschko
Beaton	Gronvold	Skarvold
Bilden	Hill	Thorson
Blank	Kamrath	Topp
Brant	Lavik	Trout
Braun	Lemke	Troxel
Dahl	Leum	Watt
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Fredrickson	Nelson, Grand Fks	

Those voting in	the negative were:	
Guenther	Nelson, McKenzie	Streibel
Holl	Olson, McHenry	Tweten
Morrison	Olson, Mountrail	

Absent and not voting:BlaisdellGuthrieBridstonIsaakSo Senate Concurrent ResolutionNo. 135 was declared

adopted.

FIRST READING OF HOUSE BILLS House Bill No. 204. A Bill for an Act to Provide for Better Control and Regulation of the Sale of Alcohol, Alcoholic Beverages and Intoxicating Liquors Within the State of North Dakota; to License the Importation Thereof; to Provide for the Issuance and Cancellation of Importers' Licenses and Set the Fees Therefor; Provide for the Disposition of Said Fees; to Provide Penalties and Declaring an Emergency.

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

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

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

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

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

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

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

House Bill No. 121. A Bill for an Act to Amend and Reenact Article 41, Chapter 38, 1913 Compiled Laws, to Regulate the Licensing, Registration, Sale, Inspection, Sampling and Analysis of Commercial Fertilizers, Superphosphates and Fertilizer Materials in the State of North Dakota, and to Repeal All Laws and Parts of Laws in Conflict Therewith.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Bill No. 36. 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.

House Bill No. 70. A Bill for an Act Providing for and Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalties; Repeal.

Was read the first time and referred to the Committee on Taxes and Tax Laws. 1

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

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

The presiding officer announced that the Senate would be on the Ninth Order of Business for the consideration of House amendments to Senate Bill No. 35.

HOUSE AMENDMENTS TO SENATE BILL No. 35.

Between lines 46 and 47 insert "precinct committee-man" and re-number balance to correspond.

On page 3, line 54, after the period following the word "on" strike out the balance of the section (P. 329-HJ).

Also page 2, line 26, strike out the word "one" and substitute therefor "______ (the number to be nominated)." (P. 477-HJ).

Senator Fowler moved that the report from the House be referred to the Committee on Elections, for investigation and report to the House as to whether the Senate does, or does not concur in the House amendments to Senate Bill No. 35, which motion prevailed.

Senator Morrison requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Morrison moved that Senate Bill No. 111 be withdrawn, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President Pro-Tem was about to sign:

Senate Resolution C. A Resolution Relating to the Eradication of Grasshoppers by Arsenic Poison.

And the President Pro-Tem signed the same in the presence of the Senate.

The Secretary announced that the President Pro-Tem was about to sign:

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

And the President Pro-Tem signed the same in the presence of the Senate.

The Secretary announced that the President Pro-Tem was about to sign:

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

And the President Pro-Tem signed the same in the presence of the Senate.

The Secretary announced that the President Pro-Tem was about to sign:

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens. And the President Pro-Tem signed the same in the presence of the Senate.

The Secretary announced that the President Pro-Tem was about to sign:

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

And the President Pro-Tem signed the same in the presence of the Senate.

The Secretary announced that the President Pro-Tem was about to sign:

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

And the President Pro-Tem signed the same in the presence of the Senate.

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

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

THIRTY-EIGHTH DAY

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rabbi Asher T. Katz.

Roll Call: All Senators present.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-seventh day and recommends that the same be corrected as follows:

On page 259, line 2 after the word "Journal" add the words "and adopted."

On page 260, line 6 after the word "Journal" add the words "and adopted."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 9, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 71. A Bill for an Act to Amend and Reenact Section 4 of Chapter 249 of the Session Laws of 1937, Providing for Certain Credits and Exemptions and Providing for Payment of a Sales Tax on Sales of Motor Vehicle Fuels Upon Which Refunds of Special Taxes are Allowed, and Declaring an Emergency.

Senate Bill No. 3. 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. Senate Bill No. 30. A Bill for an Act to Amend and Reenact Chapter 158, Laws of 1933, Relating to the Foreclosure of Real Estate Mortgages by Advertisement.

Senate Bill No. 126. A Bill for an Act to Amend and Reenact 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 Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 96. A Bill for an Act to Provide for the Removal of Certain Public Officers in Said Act Enumerated and Establishing the Procedure Therefor and Repealing Sections 685, 686, 688, 689, 690, 691, 692, 693, 694, and 695 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Sections 687, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481 and 10482 of the Compiled Laws of the State of North Dakota for the Year 1913, and Chapter 230, of the Session Laws of the State of North Dakota for the Year 1927.

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 48. A Bill for an Act to Amend and Reenact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159, Session Laws of 1935, Defining Usury.

House Bill No. 78. A Bill for an Act Declaring to Be Common Nuisances any Building, Place, or Room, Where Intoxicating Liquors Are Sold, Bartered, or Furnished in

Violation of Law, and Prescribing Remedies and Penalties for the Prevention of the Same, and Evidence Admissible.

House Concurrent Resolution No. 94. A Concurrent Resolution 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 General Relief Emergency for December, 1938, and January and February, 1939.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

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

WM. J. LOWE, Secretary.

Senator Watt requested that a communication written by him to the Governor, as instructed by the Committee on Appropriations, be read from the desk and printed in the Journal, which request was granted.

February 8, 1939.

Honorable John Moses Governor State of North Dakota Bismarck, North Dakota Dear Governor:

In the course of considering the appropriation for the Feeble Minded institution at Grafton, information has come to the committee from a very reliable source, that the conditions at that institution in regard to the superintendent of the institution are deplorable, and we, the Appropriations Committee of the Senate, unanimously recommend to you that a change be made in the superintendent of that institution at as early a date as possible.

We would suggest that you bring this to the attention of the Board of Administration.

Respectfully yours,

WW-jt

WILLIAM WATT, Senator, 11th District.

Senator Morgan moved that the vote by which the report of the Committee on Appropriations on House Bill No. 74 was adopted, be reconsidered, which motion prevailed.

Senator Morgan moved that the report of the Committee on Appropriations on House Bill No. 74 be amended as follows:

On page 259, line 9 of the Journal, strike out the words "Section 1. Whereas, ac-" and strike out all of lines 10, 11, 12, 13, 14, 15, 16 and 17.

Senator Aandahl made a substitute motion that on page 259, line 9 of the Senate Journal, strike out the word "dissipated" and insert in lieu thereof the word "expended," which motion carried.

Senator Watt moved that House Bill No. 74 be placed at the top of the calendar for today, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Resolution "C."

Was delivered to the Secretary of State at the hour of 2:10 o'clock P. M., February 9, 1939.

W. J. TROUT, Chairman.

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

Senate Bill No. 103.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Resolution No. "C."

Senate Bill No. 23.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 139, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

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

Senate Bill No. 143, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

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

Senate Bill No. 145, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

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

Senate Bill No. 151, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

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

House Bill No. 153, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

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

House Bill No. 125, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

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

Mr. President: A majority of your Committee on Judiciary to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same be indefinitely postponed.

ANDREW SKARVOLD KRISTIAN HOLL J. C. BLAISDELL, JR. GUST TWETEN FRANK H. BEATON OTTO TOPP E. C. STUCKE BEN GILBERTSON

Mr. President: A minority of your Committee on Judiciary to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

In line 27 after the word "mortgage" insert the word "hereafter."

ED. LIAN T. WHELAN J. L. FLATT A. W. FOWLER FRED J. FREDRICKSON HENRY LEUM JAMES W. GUTHRIE

And when so amended recommend the same do pass.

Senator Guthrie moved that action on the report be delayed until the printed bill is in the hands of the Senators, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 63, return the same without recommendation.

A. W. FOWLER, Chairman.

Senator Fowler moved that Senate Bill No. 63 be placed on the calendar for Second Reading and Final Passage, which motion prevailed.

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

Senate Bill No. 133, have had the same under consideration and recommend that the same be amended as follows:

In the title strike out the period after the word "Funds" and insert in lieu thereof a comma and the following language "and declaring an emergency."

In line 4, Section 1, after the comma following the numerals "241" insert the following language "of the Session" and after the word "Laws" in the same line insert the word "of."

In Section 6, after the numeral "6" insert the word "Emergency."

And when so amended recommend the same do pass.

J. C. BLAISDELL, JR., Chairman.

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

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

Senate Bill No. 147, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, JR., Chairman.

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

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

Senate Bill No. 82, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, JR., Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred:

Senate Bill No. 181, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Trout moved that action on the report be delayed until the printed bill is in the hands of the senators, which motion prevailed.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred:

Senate Bill No. 184, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Trout moved that action on the report be delayed until the printed bill is in the hands of the Senators, which motion prevailed.

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

House Bill No. 101, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

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

Senate Bill No. 167, have had the same under consideration and recommend that the same be indefinitely postponed. B. W. LEMKE, Chairman.

Senator Trout moved that action on the report be delayed until the printed bill is in the hands of the Senators, which motion prevailed.

Mr. President: Your Committee on Elections to whom was referred Senate Concurrent Resolution 148, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Concurrent Resolution No. 118, have had the same under consideration and recommend that the same be indefinitely postponed.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act providing for a lien in favor of house-movers and providing for the filing, perfection and enforcement of said lien. Introduced by Senator Thatcher.

A Bill for an Act to Amend and Re-enact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing all Inconsistent Acts; and Declaring an Emergency. Introduced by Senator Stucke.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts and Parts of Acts in Conflict Therewith.

Introduced by Committee on Education.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 9, 1939.

Mr. President: I have the honor to return: Senate Bill No. 52. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 28. 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. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 4. A Bill for an Act Making an Appro-

priation for the Glanders and Dourine Indemnity Fund.

House Bill No. 6. 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.

House Bill No. 7. 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.

House Bill No. 15. 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.

House Bill No. 16. 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.

House Bill No. 17. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Mehods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 19. 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.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 21. 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.

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

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

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REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 23 was delivered to the Governor for his approval at the hour of 3:25 o'clock P. M. February 9, 1939. W. J. TROUT, Chairman.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

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

Senator Thatcher introduced:

Senate Bill No. 233. A Bill for an Act Providing for a Lien in Favor of House-Movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

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

Senator Stucke introduced:

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 235. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fiftyone 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.

The Committee on Appropriations introduced:

Senate Bill No. 236. A Bill for an Act to Amend and Reenact Section 3 of Chapter 255 of the Session Laws of 1937, Relating to the Creation of State Water Conservation Commission.

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

The Committee on Education introduced:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

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

The Committee on Appropriations introduced: Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

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

The President announced that the Senate would be on the Thirteenth Order of Business for the second reading of House Bill No. 74.

Senator Watt moved the following amendments to the amendment on House Bill No. 74:

In Section 5, line 2, where the following is inserted: "The State Treasury, etc." change the Capital "T" in the word "The" to a small "t."

In line 8, Section 5, change the figure "\$392,740.42" to read "\$362,947.92."

In line 13a, change the figure "\$327,467.25" to read "\$297,-675.00."

In line 13d, change the figure "\$23,650.00" to read "\$23,-625.00."

In line 13, Sub-total 1, change the figure "\$415,242.25" to read "\$385,449.75."

On page 4, after "NET APPROPRIATION" change the figure "\$392,740.42" to read "\$362,947.92."

Which motion prevailed.

Senator Watt moved that House Bill No. 74 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Ne-cessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative we	re:
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher

Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	•

Trout

Absent and not voting:

Fowler

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Greiser: "Mr. President: I wish to explain my vote. I vote 'aye' on this bill but I object to the language contained in Section 1."

Senator Watt moved that the vote by which House Bill No. 74 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Thatcher
Blaisdell	Lavik	Thorson
Brant	Lemke	Topp
Bridston	Leum	Trout
Braun	Magoffin	Troxel
Drew	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gilbertson	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young

Absent and not voting:

Dahl	Kamrath	Nelson, Grand Fks.
Flatt	Lian	Stucke
Hill		

So the bill passed and the title was agreed to.

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency. Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 4; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Magoffin	Trout
Drew	Morgan	Troxel
Fowler	Morrison	Watt
Fredrickson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	
Those voting in	the negative were:	
Beaton	Stucke	Tweten
Gilbertson		

Absent and n	ot voting:	
Dahl	Kamrath	Nelson, Grand Fks.
Flatt	Lian	Whelan
Hill		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The President called Senator Stucke to the Chair.

The presiding officer announced that without objection, Senate Bill No. 4 would be placed at the foot of the calendar.

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws 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, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Lavik	Thorson
Bridston	Lemke	Торр
Braun	Leum	Trout

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Drew	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Those voting in th	e negative were:	0
Thatcher		

Absent and not voting:DahlKamrathFlattLianYoung

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The presiding officer announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 4 and find the same correctly Engrossed. W. J. TROUT, Chairman.

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

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

Senate Bill No. 131, have had the same under consideration and recommend that the same be amended as follows:

In line 6, strike out the following words: "other than health or accident insurance."

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

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

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

Senate Bill No. 121, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title, after the word "Companies" strike out the period and add the following: "and declaring an emergency."

And when so amended recommend that the same do pass. FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title, strike out the period after the word "State" and add the following: "and repealing all acts in conflict herewith."

And when so amended recommend the same do pass. FRED J. FREDRICKSON, Chairman. Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 119, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title, after the word "Companies" strike out the period and add the following: "and declaring an emergency."

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 95, have had the same under consideration and recommend that the same do pass.

FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 216, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations.

FRED J. FREDRICKSON, Chairman.

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

The presiding officer announced that Senate Bill No. 216 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same be ordered printed.

FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same do pass.

FRED J. FREDRICKSON, Chairman.

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

The presiding officer announced that the Senate would return to the 11th Order of Business for the Second Reading of Senate Bills.

The President resumed the Chair.

SECOND READING OF SENATE BILLS

Senate Bill No. 102. A Bill for an Act Granting Certain Powers and Imposing Certain Duties Heretofore Delegated to the Board of Administration, in Connection With Child Welfare Laws of This State, to the Public Welfare Board of North Dakota, Division of Child Welfare; Providing for Cooperation With the Federal Government in Carrying Out Child Welfare Services and Services to Crippled Children and to Receive and Disburse Federal Funds Granted for Such Purposes; Repealing Chapter 150 of the Session Laws of 1923, Being Sections 283b6 and 283b7 of the 1925 Supplement to the 1913 Codes; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in	the affirmative were:	
Aasen	Guenther	Skarvold
Bilden	Guthrie	Streibel
Blank	Hill	Stucke
Bridston	Lavik	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Owings	Wog
Greiser	Raschko	Young
Gronvold		

Those voting in	the negative were:	
Brant	Kamrath	Olson, McHenry
Holl	Lemke	Olson, Mountrail
Isaak	Nelson, McKenzie	Tweten

Absent and not voting: Beaton

Aandahl

Blaisdell

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Guthrie	Olson, Mountrail Owings
TT'11	
Hill	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Thorson
Leum	Торр
Lian	Trout
Magoffin	Troxel
Morgan	Tweten
	Isaak Kamrath Lavik Lemke Leum Lian Magoffin

Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Absent and not		0
Aandahl		
	had the state of the second	

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the	e affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Blaisdell

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke

THURSDAY, FEBRUARY 9, 1939

Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting: Flatt Fowler

So the bill passed and the title was agreed to.

The President called President Pro-Tem Watt to the Chair. Senator Drew moved an amendment to Senate Bill No. 101 as follows: That the Emergency Clause be added to the end of the bill, which motion carried.

Senator Guthrie moved that the Rules be suspended and that Senate Bill No. 101 be considered properly Engrossed and placed on second reading and final passage, which motion carried.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6, and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Those voting in the	e affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Торр
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting:

Trout

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The President resumed the Chair.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Rasciko
Beaton	Hill	Skarvold
Blaisdell	Holl	Streibel
Brant	Isaak	Stucke
Bridston	Kamrath	Thorson
Braun	Lavik	Topp
Dahl	Lemke	Trout
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Gilbertson	Morrison	Wog
Greiser	Nelson, Grand Fks.	Young
Gronvold	Nelson, McKenzie	

Those voting in the negative were: Olson, Mountrail Owings

Absent and not voting: Bilden Blank

Thatcher

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Watt requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Watt moved that House Bill No. 73 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Whelan moved that after First Reading of House Bills and announcements the Senate do recess until 1:00 P. M. Friday, February 10th, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 4. 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.

House Bill No. 6. 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.

House Bill No. 7. 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.

House Bill No. 15. 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.

House Bill No. 16. 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.

House Bill No. 17. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Mehods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

House Bill No. 19. A Bill for an Act Making an Appropriation for the 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.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

House Bill No. 21. 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.

House Bill No. 28. 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.

House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

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

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

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

Pursuant to the motion of Senator Whelan, the Senate stood recessed until 1:00 P. M., Friday, February 10th.

WM. J. LOWE, Secretary.

THIRTY-EIGHTH DAY AFTER RECESS AND THIRTY-NINTH DAY

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Bismarck, February 10, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 9th.

The President announced that the Senate would be on the 11th Order of Business for the Second Reading of Senate Bills.

SECOND READING OF SENATE BILLS

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the	affirmative were:	
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		

Absent and not voting:

Aandahl Stucke Trout So the bill passed and the title was agreed to. Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing 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, 36; nays, 13; absent and not voting, 0.

Those voting in th	e affirmative were:	
Aasen	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Troxel
Flatt	Magoffin	Tweten
Gronvold	Morrison	Watt
Guenther	Olson, McHenry	Whelan
Guthrie	Olson, Mountrail	Young
Those voting in the	e negative were:	

Those voting in	the negative were:	
Aandahl	Gilbertson	Nelson, McKenzie
Beaton	Greiser	Raschko
Drew	Morgan	Trout
Fowler	Nelson, Grand Fks.	Wog
Fredrickson		

So the bill passed and the title was agreed to.

Senator Braun: Mr. President, I would like to have my remarks recorded in the Journal. As an officer of the State of North Dakota, I object strenuously to certain unethical attacks that certain attorneys and lobbyists made before the State Affairs Committee, in pointing out certain members, especially the Chairman as sponsors of this kind of legislation. Day before yesterday it was said here on the floor that the chain store employees were satisfied in their lot in life, and their employment. I want to read to you from the Inter-State Merchant compiled by the Federal Trade Commission, that the weekly wage in stores is as follows:

The figures for all types investigated by the Federal Trade Commission showed these results:

PROOF OF LOWER WAGES

Lamon

	Inde-		Chain
	endents	Chains	Wage
Grocery stores with meats	\$25.90	\$18.98	\$6.92
Grocery stores without meats	24.91	20.40	4.51
Drug stores	30.07	25.07	5.00
Tobacco stores		23.77	1.75
Ready-to-Wear stores	31.11	26.77	4.34
Shoe stores		27.83	5.65

Dry goods, apparel, general

merchandise	25.06	19.61	5.45
Hardware stores	28.77	28.12	.65

AVERAGE\$28.10 \$23.32 \$4.28

In other words we have the average independent merchant paying \$4.28 per week more than the chain stores paid. After the Octupus of Wall Street spread out over North Dakota and fastened its tenacles on every hamlet, village and community, sapping its very life blood. You have 25% living off legalized dole. If things go on in the next ten years as they have in the past ten years, you will have 75% living off legalized dole.

The very economic grounds from which your boy and my boy must grow and build their futures is being ruinously impoverished by one of the worst blood-sucking systems ever conceived for the concentration of a nation's wealth.

The complete economic power of the world's greatest nation is being usurped by a few manipulators who sit in Wall Street and control and promote these chain store rackets. What are these rackets?

The chain store racket is to beat down the American standard of living through forcing that kind of cheap production which will support "bargains."

I ask the Senators here to give this bill just consideration for passage.

Senator Bridston: Mr. President, I wish to have my remarks recorded in the Journal.

As I have already expressed myself on Senate Bill No. 78, known as the Chain Store Tax Bill I don't want to discuss the bill itself. However, I would like to know what recourse, if any, a legislator has against personal derogatory attacks and threats from lobbyists opposing legislation supported by such legislator.

Imported professional lobbyists for chain organizations have circulated amongst members of both houses of this legislature making personal derogatory and insinuating remarks and threats against Senators sponsoring or supporting this bill.

I have been accused by these lobbyists of supporting this bill for personal financial reasons. The statement has been made "that I've stuck my neck out once too often and that I'll be taken care of in Grand Forks."

Similar statements and threats involving other Senators supporting this bill have been made.

No member of this Senate would ever question the motive of any other member sponsoring or supporting any particular legislation.

As a matter of record, and for information, I would like to know, what recourse, if any, a legislator has against unfair, unwarranted attacks and threats of this nature.

Senator Raschko: Mr. President, I wish to explain my vote. The reason that I am voting against this bill is that the revenue derived is so insignificant that it will not pay for antagonizing the chain stores. Therefore I vote "No."

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted. Senator Blaisdell moved that the vote by which Senate Bill No. 78 was passed be reconsidered for the purpose of amending, which motion prevailed.

Senator Blaisdell moved that at the end of the title of Senate Bill No. 78, the period be stricken out and a comma inserted therein, and add these words "and declaring an emergency," which motion prevailed.

Senator Blaisdell moved that the rules be suspended and the bill be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senator Blaisdell moved that inasmuch as Senate Bill No. 78 has been read, that the reading of this bill be dispensed with and that the Secretary call the roll, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing Penalties for the 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, 36; nays, 13; absent and not voting, 0.

Those voting in the affirmative were:

Those voung n	i the arrithauve were.	
Aasen	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Troxel
Flatt	Magoffin	Tweten
Gronvold	Morrison	Watt
Guenther	Olson, McHenry	Whelan
Guthrie	Olson, Mountrail	Young
Those voting in	the negative were:	
Aandahl	Gilbertson	Nelson, McKenz
Reaton	Greiser	Raschko

I nose voting in	the negative were:	
Aandahl	Gilbertson	Nelson, McKenzie
Beaton	Greiser	Raschko
Drew	Morgan	Trout
Fowler	Nelson, Grand Fks.	Wog
Fredrickson		

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

Senator Dahl 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.

Senator Hill moved that the Senate do now adjourn, which motion carried, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

THIRTY-NINTH DAY

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rabbi Asher T. Katz.

Roll call: All Senators present.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-seventh Day After Recess and the Thirty-eighth Day and recommends that the same be corrected as follows:

On Page 297, line 15, strike out the figures "67" and all the rest of the paragraph; and insert in lieu thereof the figure "7," and correct title.

And when so corrected recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, February 10, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Senate Bill No. 102. A Bill for an Act Granting Certain Powers and Imposing Certain Duties Heretofore Delegated to the Board of Administration, in Connection With Child Welfare Laws of This State, to the Public Welfare Board of North Dakota, Division of Child Welfare; Providing for Cooperation With the Federal Government in Carrying Out Child Welfare Services and Services to Crippled Children and to Receive and Disburse Federal Funds Granted for Such Purposes; Repealing Chapter 150 of the Session Laws of 1923, Being Sections 283b6 and 283b7 of the 1925 Supplement to the 1913 Codes; and Declaring an Emergency.

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Which the Senate has amended.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Senator Watt presented a communication from a group of taxpayers and residents of the State of North Dakota requesting the legislature to combat the effort of outside interests to amend the present statutes providing for the use of native lignite fuel in state institutions.

A Communication was received by the President of the Senate from the North Dakota Grain Dealers Convention in Devils Lake opposing the project of bringing in natural gas as a fuel for the consumption of the taxpayers of North Dakota.

The President announced that the above communications would be referred to the proper committee when the bill to which they refer is received from the House.

The President announced the Senate would be on the Twelfth Order of Business for the Second Reading of House Bills.

SECOND READING OF HOUSE BILLS

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Guthrie	Olson, Mountrail	

Those voting in the negative were: Flatt Gronvold Topp

Absent and not voting:

Blaisdell Fredrickson

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 10, 1939.

Mr. President: I have the honor to return: Senate Bill No. 48. A Bill for an Act to Amend and Reenact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit: House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore. House Bill No. 95. A Bill for an Act to Make Farming Un-

House Bill No. 95. A Bill for an Act to Make Farming Unlawful in the State of North Dakota by Anyone Other Than an Actual Bona Fide Farmer; Defining a "Bona Fide Farmer"; Providing a Penalty and Declaring an Emergency.

House Bill No. 181. A Bill for an Act to Repeal Section 2173 of the Compiled Laws of North Dakota for 1913; Being an Act Authorizing the County Commissioners to Contract With the Sheriff for the Collection of Delinquent Personal Property Taxes for Additional Compensation.

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

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

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 101. A Bill for an Act to Amend and Reenact 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, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	
Absent and not		
Braun	Fredrickson	
So the hill ness	ed and the title was agr	eed to

So the bill passed and the title was agreed to.

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Un-

fair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing 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, 46; nays, 2; absent and not voting, 1.

	n the affirmative were:	and the second
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young
Guthrie		

Those voting in the negative were: Gilbertson Gronvold

Absent and not voting: Blaisdell

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

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in	the affirmative wer	e:
Aandahl	Gronvold	Nelson, Grand Fks.
Aasen	Guenther	Raschko
Bilden	Guthrie	Skarvold
Blank	Hill	Streibel
Blaisdell	Holl	Stucke
Brant	Isaak	Thorson
Bridston	Kamrath	Торр
Braun	Lavik	Troxel
Dahl	Lemke	Tweten
Drew	Leum	Watt
Flatt	Lian	Whelan
Fredrickson	Magoffin	Wog
Gilbertson	Morgan	Young
Greiser	3	5

Those voting in the	e negative were:	
Beaton	Olson, McHenry	Thatcher
Morrison	Olson, Mountrail	Trout
Nelson, McKenzie	Owings	

Absent and not voting: Fowler

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

The president announced that the Senate would return to the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 60.

Senate Bill No. 66.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

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

Senate Bill No. 101;

Senate Bill No. 119;

Senate Bill No. 120;

Senate Bill No. 121;

Senate Bill No. 131; and

Senate Bill No. 133.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 185, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 201, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same be referred to the Committee on Insurance.

M. R. YOUNG, Chairman.

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

The president announced that Senate Bill No. 166 is rereferred to the Committee on Insurance.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 153, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, JR., Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 196, have had the same under consideration and recommend that the same be amended as follows:

In the last place that "municipalities" appears in the title, strike out the balance of the title and insert in lieu thereof a period.

And when so amended recommend the same do pass.

J. C. BLAISDELL, JR., Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the same be amended as follows:

In Section 1 strike out all of line 2 and that portion of line 3 to and including the figure "\$292,777.00" and in lieu thereof insert the following: "the sum of \$15,000.00 out of the Interest, Income and Institutional collections fund of the institution hereafter named and the sum of \$247,637.00 out of the State Treasury, not otherwise appropriated."

In line 10 strike out the figure "\$19,600.00" and insert in lieu thereof the figure "\$22,360.00." In line 13, page 2, strike out the figure "\$19,500.00" and insert in lieu thereof the figure "\$18,000.00." In line 14 strike out the figure "\$5,800.00" and insert in lieu thereof the figure "\$5,300.00." In line 15 strike out the figure "\$3,000.00" and insert in lieu thereof the figure "\$2,500.00." In line 17 after the word "etc." insert the words "Available July 1, 1939" and strike out the figure "\$8,500.00" and insert in lieu thereof the figure "\$4,000.00." In line 18 strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$800.00." In line 20 strike out the figure "\$900.00" and insert in lieu thereof the figure "\$500.00." In line 22 strike out the figure "\$6,000.00" and insert in lieu thereof the figure "\$4,000.00." In line 23 strike out the figure "\$3,500.00" and insert in lieu thereof the figure "\$2,500.00." In line 24, strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$4,500.00." In line 26 strike out the figure "\$22,000.00" and insert in lieu thereof the figure "\$22,000.00" and insert in lieu thereof the figure "\$22,000.00." In line 27 strike out the figure "\$14,000.00" and insert in lieu thereof the figure "\$12,000.00." In line 29 strike out the figure "\$12,000.00." In line 30 strike out the figure "\$2,300.00" and insert in lieu thereof

the figure "\$1,800.00." In line 31, strike out the figure "\$1.000.00" and insert in lieu thereof the figure "\$800.00." In line 32 strike out the figure "\$8,000.00" and insert in lieu thereof the figure "\$7,000.00." In line 33 strike out the figure "\$257,677.00" and insert in lieu thereof the figure "\$241,637.00." Strike out all of line 34 on page 3. Strike out all of line 35. In line 37 strike out the ")" and insert the figure "\$2,900.00." In line 38 strike out the ")" and insert the figure "\$2,000.00." Strike out all of line 39. Strike out all of line 40. Strike out all of line 41 including the "\$20,-000.00." In line 42 strike out the ")" and insert the figure "\$2,800.00." Strike out all of line 43. Strike out all of line 44. Strike out all of line 45. In line 47 strike out the figure "\$4,500.00" and insert in lieu thereof the figure "\$2,000.00." In line 48 strike out the figure "\$2,200.00" and insert in lieu thereof the figure "\$1,000.00." In line 49 strike out the figure "\$700.00" and insert in lieu thereof the figure "\$400.00." In line 50 strike out the figure "\$1,800.00" and insert in lieu thereof the figure "\$800.00." In line 51 strike out the figure "\$4,500.00" and insert in lieu thereof the figure "\$2,000.00." In line 52 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$1,000.00." In line 55 strike out the figure "\$1,400.00" and insert in lieu thereof the figure "\$1,000.00." In line 56 strike out the figure "\$500.00" and insert in lieu thereof the figure "\$500.00" and insert in lieu thereof the figure "\$700.00." In line 58, page 4 strike out the figure "\$1,200.00" and insert in lieu thereof the figure "\$600.00." In line 59 strike out the figure "\$2,500.00" and insert in lieu thereof the figure "\$2,000. Strike out all of line 61. In line 62 strike out the figure "\$292,777.00" and insert in lieu thereof the figure "\$262,637.00." Re-number all lines starting with line 3 in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 7 be adopted, and printed in the Journal without reading, which motion prevailed.

Mr. President: A majority of your Committee on Elections to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same be indefinitely postponed.

> B. W. LEMKE HJALMAR NELSON F. T. GRONVOLD GUST TWETEN WM. A. THATCHER FRED J. FREDRICKSON.

Mr. President: A minority of your Committee on Elections to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same do pass.

> BEN GILBERTSON OTTO TOPP H. C. GUENTHER.

Senator Lemke moved that the report of the majority of the Committee on Elections on Senate Bill No. 142, be adopted.

Senator Blaisdell made a substitute motion that the word "minority" be substituted for the word "majority." Senator Blaisdell demanded a roll call, which was granted.

ROLL CALL

The question being on the substitute motion of Senator Blaisdell that the word "minority" be substituted for the word "majority" in the report of the Committee on Elections on Senate Bill No. 142, the roll was called and there were ayes, 18; nays, 31; absent and not voting, 0.

Aandahl	the affirmative wer Gilbertson	Nelson, Grand Fks.
Aasen	Guenther	Торр
Blaisdell	Guthrie	Trout
Bridston	Holl	Troxel
Drew	Lian	Wog
Flatt	Magoffin	Young

saak Iamrath avik	Owings Raschko
	Raschko
omile	
avik	Skarvold
emke	Streibel
eum	Stucke
lorgan	Thatcher
Iorrison	Thorson
lelson, McKenzie	Tweten
lson, McHenry	Watt
lson, Mountrail	Whelan
	emke eum Iorgan Iorrison Ielson, McKenzie Ilson, McHenry

So the substitute motion was declared lost and the question being on the original motion of Senator Lemke that the report of the majority of the Committee on Elections on Senate Bill No. 142, be adopted, this motion carried and Senate Bill No. 142 was declared indefinitely postponed.

Mr. President: The majority of your Committee on State Affairs to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG T. E. WHELAN RILIE R. MORGAN H. C. GUENTHER J. B, BRIDSTON A. N. LAVIK ANDREW SKARVOLD BEN GILBERTSON N. N. NELSON G. F. DREW.

Mr. President: The minority of your Committee on State Affairs to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same do pass.

AXEL OLSON R. A. OWINGS ROBERT GREISER C. C. MORRISON WM. WATT GUST WOG A. W. FOWLER. Senator Young moved that the report of the majority of the Committee on State Affairs on Senate Bill No. 56 be adopted.

Senator Olson made a substitute motion that the word "minority" be substituted for the word "majority," which motion prevailed, and the report of the minority of the Committee on State Affairs on Senate Bill No. 56 was declared adopted.

Senator Fowler requested that he be shown as signing the minority report on Senate Bill No. 56, rather than the majority report.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same be amended as follows:

After changing the "period" to a "comma" at the end of the title of the bill add the following, "and declaring an emergency."

And when so amended recommend the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 182, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 138, have had the same under consideration and recommend that the same be indefinitely postponed.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 164, 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 comma and the following: "Repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency."

In Section 3, after the numeral "three," insert the word "Repeal."

In Section 4, after the numeral "four," insert the word "Emergency."

And when so amended recommend the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same be amended as follows:

In the title amend as follows: "After the comma, following the word "municipalities," insert the following: "and repealing all Acts or parts of Acts in conflict therewith."

And when so amended recommend the same do pass.

J. C. BLAISDELL, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 154, have had the same under consideration and recommend that the same do pass.

J. C. BLAISDELL, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 10, 1939.

Mr. President: I have the honor to transmit: House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

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

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to authorize the disorganization of counties by petition and election or by judicial procedure and for the proceedings therefor; and for the elimination of county officers and the termination of their terms of office; and for the attachment to an organized county for judicial and administrative purposes; and providing for the duties of the officers of the organized county to which attached, including the powers and limitations to tax; to maintain separate records, to act as trustee, collect the revenue and to disburse the expenses for the remaining operation of the unorganized county; and for submitting the question if portions of this Act are unconstitutional or final decree denies the petition; and for retaining the validity of the remaining provisions of this Act if any are declared unconstitutional and for the repeal of Acts in conflict herewith.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to provide for the better enforcement and collection of Personal Property Taxes by providing for the appointment of a Special Tax Collector; prescribing his Duties, Authority and Compensation; and Declaring an Emergency. Introduced by Senator Braun.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to re-establish the North Dakota Mill and Elevator Association and define its powers and duties; to provide for the establishment of a North Dakota Board of Industrial Management, define its powers and duties in respect to the management, operation and con-trol of the properties and businesses of the North Dakota Mill and Elevator Association and repealing all Acts or parts of Acts in conflict herewith.

Introduced by Senators Bridston, Nelson of Grand Forks.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 239. A Bill for an Act Making an Appro-priation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

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

Senators Wog and Raschko introduced: Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Remaining Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith.

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

Senator Braun introduced:

Senate Bill No. 241. A Bill for an Act to Provide for the Better Enforcement and Collection of Personal Property Taxes by Providing for the Appointment of a Special Tax Collector; Prescribing His Duties, Authority and Compensa-tion; and Declaring an Emergency.

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

Senators Bridston and Nelson of Grand Forks introduced: Senate Bill No. 242. A Bill for an Act to Re-establish the North Dakota Mill and Elevator Association and Define Its Powers and Duties; to Provide for the Establishment of a North Dakota Board of Industrial Management, Define Its Powers and Duties in Respect to the Management, Operation and Control of the Properties and Businesses of the North Dakota Mill and Elevator Association, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senators Blaisdell, Whelan, Fowler, Braun and Leum introduced:

Senate Bill No. 243. A Bill for an Act Appropriating the Sum of \$27,845.92 to the Northern Improvement Company Out of Any Funds in the State Treasury Available to the State Highway Department by Reason of the Appropriation Contained in Senate Bill No. 238 Pending in This Legislative Session or Otherwise in Said State Treasury, for the Construction, Reconstruction and Maintenance of Public Roads, Including Necessary Expenses of Labor, Equipment and Other Costs and Expenses Allowed by Statute and Required for Such Construction, Reconstruction and Maintenance, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Those voung I	n the allinative were.	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Bilden	Holl	Skarveld
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt

Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting:

Beaton Greiser

So the bill passed and the title was agreed to.

Senator Lian moved that the Senate recess for fifteen minutes which motion prevailed.

The Senate re-convened at the expiration of the fifteenminute recess.

The President announced that the Senate would be on the Fifteenth Order of Business for the Signing of Bills.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 10, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

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

WM. J. LOWE, Secretary.

The President announced that the Senate would return to the Eleventh Order of Business for the Second Reading of Senate Bills.

Senator Young moved that the emergency clause be added to the title of Senate Bill No. 143, which motion prevailed.

Senator Fredrickson moved a further amendment to Senate Bill No. 143 as follows:

On page 2, line 17, after the word "party," insert a period and strike out the rest of the line, and all of line 18, and renumber the lines accordingly, which motion prevailed.

Senator Guthrie moved that the rules be suspended and that Senate Bill No. 143 be considered properly engrossed and placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 143. A Bill for an Act to Provide That Judgments or Liens Not Renewed Within Ten Years From Date of Docketing, Shall Be Discharged and Satisfied of Record.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Inose voung in	the annually word.	
Aandahl	Greiser	Olson, McHenry
Aasen	Gronvold	Olson, Mountrail
Beaton	Guenther	Owings
Bilden	Guthrie	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Lavik	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young

Those voting in the negative were: Morrison

Absent and not voting:BridstonKamrathHillRaschkoThorson

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

Senator Young moved that the Emergency Clause be added to the title of Senate Bill No. 145, which motion prevailed.

Senator Fredrickson moved a further amendment to Senate Bill No. 145 as follows: On page 2, line 22, after the word "party" insert a period and strike out the rest of the line, and all of line 23, and re-number the lines accordingly, which motion prevailed.

Senator Fredrickson moved a further amendment to Senate Bill No. 145 that the following words be inserted in the title before the Emergency Clause "and repealing all Acts or parts of Acts in conflict herewith," which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 145 be considered properly engrossed and placed on Second Reading and Final passage, which motion prevailed.

Senate Bill No. 145. A Bill for an Act Providing for the Renewal of Mechanic's Liens and for the Cancellation and Discharge Thereof Unless Renewed Within Six Years From the Date of Filing.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

	Custonald	Olean Manutaril
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	-

Absent and not voting:

Kamrath Raschko

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

Senate Bill No. 151. A Bill for an Act to Amend and Reenact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913, as Last Amended by Section 3 of Chapter 137 of the Session Laws of the State of North Dakota for the Year 1933, Relating to State Hail Insurance, Providing for the Levy of a Hail Indemnity Tax, Fixing the Priority of the Lien Therefor; Declaring That Any and All Existing Hail Indemnity Taxes, Which Have Not Heretofore Been Sold to Private Parties, Shall be Liens Subsequent and Inferior to Mortgages, Liens and Judgments Executed Prior to the Levy of Such Hail Indemnity Taxes; 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, 26; nays, 20; absent and not voting, 3.

Those voting in the affirmative were: Aandahl Gronvold Nels

Nelson, Grand Fks.

FRIDAY, FEBRUARY 10, 1939

Aasen	Guenther	Topp
Bilden	Guthrie	Trout
Blank	Hill	Troxel
Brant	Lavik	Watt
Bridston	Leum	Whelan
Dahl	Lian	Wog
Fowler	Magoffin	Young
Fredrickson	Morgan	

the negative were:	
Isaak	Skarvold
Lemke	Streibel
Morrison	Stucke
	Thatcher
	Thorson
	Tweten
Owings	
	Lemke Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail

Kamrath

Absent and not voting: Flatt Kan

Raschko

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

Senator Blaisdell moved that Senate Bill No. 63 be indefinitely postponed, without second reading.

Senator Olson demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Blaisdell that Senate Bill No. 63 be indefinitely postponed, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Fowler	Lian
Aasen	Fredrickson	Morgan
Bilden	Gilbertson	Nelson, Grand Fks.
Blank	Greiser	Thatcher
Blaisdell	Gronvold	Topp
Brant	Guthrie	Tweten
Bridston	Kamrath	Watt
Braun	Leum	Young
Flatt		5

Those voting in the negative were:

Beaton	Lemke	Streibel
Dahl	Magoffin	Stucke
Drew	Morrison	Thorson
Guenther	Nelson, McKenzie	Trout
Hill	Olson, McHenry	Troxel
Holl	Olson, Mountrail	Whelan
Isaak	Owings	Wog
Lavik	Skarvold	

Absent and not voting: Raschko

.

So the motion of Senator Blaisdell that Senate Bill No. 63 be indefinitely postponed was declared carried.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	and a second of	121020178

Absent and not voting: Bridston Raschko

Watt

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

Senator Young moved that the Emergency Clause be added to the title of Senate Bill No. 147, which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 147 be considered properly engrossed and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Troxel

Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Absent and not voting:

Raschko Watt

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

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, Relating to Park District Tax Levies.

Was read the second time.

ROLL CALL

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

Those voting in	the affirmative were:	
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Skarvold
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lavik	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser		

Those voting in the negative were: Owings Streibel

Absent and not voting: Raschko

So the bill passed and the title was agreed to.

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Concurrent Resolution No. 148, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 1; passed, 1.

Those voting in the affirmative were:

Beaton	Holl	Owings
Bilden	Isaak	Skarvold

Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Hill	Olson, Mountrail	Young

Those voting in the negative were:AasenGilbertsonDrewGronvold

Absent and not voting: Raschko Passed:

Aandahl

So the Concurrent Resolution passed and the title was agreed to.

Guthrie

Senator Aandahl requested the privilege of passing on Senate Concurrent Resolution No. 148.

Senator Stucke moved that Senator Aandahl's request be granted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 127. A Bill for an Act to Amend and Reenact Chapter 216, Session Laws 1923, Constituting Section 950a2 of the 1925 Supplement; and Providing for the Division and Consolidation of Voting 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, 46; nays, 0; absent and not voting, 3.

Those voting in	the affirmative were:	
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		
	Constants of the second se	

Absent and not voting: Aandahl Raschko

Whelan

So the bill passed and the title was agreed to.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies. Was read the second time.

iu the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in th	e affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Aandahl Raschko

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

Senator Fredrickson moved that Section 2 of Senate Bill No. 131 be stricken out, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 131 be considered properly engrossed and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

THORE I COMP	the arrithmetre ne	
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Торр

Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		

Absent and not voting:

Aandahl Raschko Trout

So the bill passed and the title was agreed to.

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

affirmative were:	
	Olson, McHenry
Guthrie	Olson, Mountrail
Hill	Owings
Holl	Skarvold
Isaak	Streibel
Kamrath	Thatcher
Lavik	Thorson
Lemke	Topp
Leum	Trout
Lian	Troxel
Magoffin	Tweten
Morgan	Watt
Morrison	Whelan
Nelson, Grand Fks.	Wog
Nelson, McKenzie	Young
	Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks.

Absent and not voting: Aandahl Raschko Stucke

So the bill passed and the title was agreed to.

Senator Blaisdell moved that the Senate revert to the 12th Order of Business for the First Reading of House Bills, after which the Senate do recess until twelve o'clock noon, Saturday, February 11th, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

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

House Bill No. 181. A Bill for an Act to Repeal Section

2173 of the Compiled Laws of North Dakota for 1913; Being an Act Authorizing the County Commissioners to Contract With the Sheriff for the Collection of Delinquent Personal Property Taxes for Additional Compensation.

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

House Bill No. 95. A Bill for an Act to Make Farming Unlawful in the State of North Dakota by Anyone Other Than an Actual Bona Fide Farmer; Defining a "Bona Fide Farmer"; Providing a Penalty and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

And the Senate stood recessed, pursuant to Senator Blaisdell's motion.

WM. J. LOWE, Secretary.

THIRTY-NINTH DAY AFTER RECESS AND FORTIETH DAY

Bismarck, February 11, 1939.

The Senate re-convened at twelve o'clock noon, pursuant to recess taken Friday, February 10th.

The President announced that the Senate would be on the Eleventh Order of Business for the Second reading of Senate Bills.

SECOND READING OF SENATE BILLS

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Paragraph (c) of Section 7, Chapter 164, of the Session Laws of 1919, the Same Being Paragraph (c) of Section 4881a7 of 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to 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, 39; nays, 2; absent and not voting, 8.

Those voting i	n the affirmative were:	
Aasen	Guenther	Nelson, McKenzie
Blank	Guthrie	Olson, McHenry
Blaisdell	Hill	Owings
Brant	Holl	Skarvold
Bridston	Isaak	Streibel
Braun	Lavik	Thatcher
Dahl	Lemke	Торр
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Greiser	Morrison	Wog
Gronvold	Nelson, Grand Fks.	Young

Those voting in the negative were: Olson, Mountrail Thorson

Absent and not	voting:	
Aandahl	Gilbertson	Stucke
Beaton	Kamrath	Trout
Bilden	Raschko	

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

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that the vote by which Senate Bill No. 114 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 114 be rereferred to the Committee on Judiciary, which motion prevailed.

Senator Fredrickson moved that action on Senate Bill No. 105 be laid over one Legislative day, which motion prevailed.

The President announced that the Senate would return to the Eleventh Order of Business.

Senate Bill No. 95. A Bill for an Act to Amend and Reenact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

	the affirmative were:	Olean Mallaum	
Aandahl	Gronvold	Olson, McHenry	
Aasen	Guenther	Olson, Mountrail	
Beaton	Guthrie	Owings	
Bilden	Hill	Skarvold	
Blank	Holl	Streibel	
Blaisdell	Isaak	Thatcher	
Brant	Lavik	Thorson	
Bridston	Lemke	Topp	
Braun	Leum	Trout	
Danl	Lian	Troxel	
Drew	Magoffin	Tweten	
Flatt	Morgan	Watt	
Fowler	Morrison	Whelan	
Fredrickson	Nelson, Grand Fks.	Wog	
Greiser	Nelson, McKenzie	Young	

Absent and not voting: Gilbertson Raschko Kamrath

Stucke

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail

Beaton	Guthrie	Owings
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahi	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting were: Gilbertson Raschko Stucke Kamrath

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

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Absent and not	voting:	0
Flatt	Raschko	Stucke
Gilbertson		

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills: Senate Bill No. 164. Senate Bill No. 196.

Senate Bill No. 7.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 245, have had the same under consideration and recommend that the same do pass. M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 230, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Federal Relations to whom was referred Senate Bill No. 162, have had the same under consideration and recommend that the same do pass.

ED. LIAN, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 218, have had the same under consideration and recommend that the same do pass. M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

In line 20 after the word "highest" insert a comma and the words "reasonable and satisfactory."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

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

Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, strike out all of line 2 and that portion of line 3 to and including the figure "\$271,346.00" and in lieu thereof insert the following: "the sum of \$4,000.00 out of the Coffin Manufacturing Fund, the sum of \$50,000.00 out of the miscellaneous earnings and the sum of \$333,000.00 out of the institutional collection fund of the institution hereafter named and the sum of \$291,964.64 out of the State Treasury, not otherwise appropriated." In line 9, strike out the figure "\$14,256.00" and insert in lieu thereof the figure "\$13,-740.00." In line 11, strike out the figure "\$64,832.00" and insert in lieu thereof the figure "\$82,766.64." In line 14, page 2, strike out the figure "\$9,500.00" and insert in lieu thereof the figure "\$10,000.00." In line 16, strike out the figure "\$1,100.00" and insert in lieu thereof the figure "\$1,-000.00." In line 17, after the word "etc." insert the follow-ing: "available July 1, 1939," and strike out the following figure "\$10,500.00" and insert in lieu thereof the figure "\$13,-000.00." In line 25, strike out the figure "\$17,000.00" and insert in lieu thereof the figure "\$14,000.00." In line 26, strike out the figure "\$12,000.00" and insert in lieu thereof the figure "\$15,000.00." In line 30, strike out the figure "\$19,000.00" and insert in lieu thereof the figure "\$18,000.00." In line 31, strike out the figure "\$20,000.00" and insert in lieu thereof the figure "\$12,000.00." After line 31, insert a new line to read "Coffin Factory" and insert the figure "\$4,-000.00." Following the above line insert a new line to read "Tag Plant" and insert the figure "\$50,000.00." In line 32 strike out the figure "\$292,596.00" and insert in lieu thereof the figure "\$357,914.64." Strike out all of line 33. On page 3, strike out all of line 34. In line 39, strike out the figure \$1,200.00" and insert in lieu thereof the figure "\$1,000.00." In line 43 strike out "(Estimate ? to be submitted)" and insert the figure "\$10,000.00." In line 45 strike out the figure "\$2,000.00" and insert in lieu thereof the figure "\$1,500.00." In line 46, strike out the figure "\$271,346.00" and insert in lieu thereof the figure "\$378,964.64." Re-number all lines in numerical order.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 6, be adopted and printed in the Journal without reading, which motion prevailed.

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

Senate Bill No. 124, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Amending Section 9991 of the 1925 Supplement of the By-Laws of 1913, Relating to Misuse of

Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Exempting Employes Who are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for their Employes While Working in Such Other State.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

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

Senators Fowler and Beaton introduced:

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

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

Senators Bridston, Guthrie and Morrison introduced:

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the By-Laws of 1913, Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

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

The Committee on Appropriations introduced:

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

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

The Committee on Appropriations introduced:

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

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

Senator Thatcher moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTIETH DAY

The Senate convened at 2:00 P. M., with Senator Young presiding.

Prayer by the Chaplain, Rabbi Asher T. Katz.

Roll Call: All Senators present except Raschko.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-eighth day after recess and Thirty-ninth day and recommend that the same be corrected as follows:

On page 304, after line 24, insert the words "Senate Bill No. 101" and the title.

And when so corrected, recommend that the same be approved.

ROBERT GREISER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 11, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Senate Bill No. 151. A Bill for an Act to Amend and Reenact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913, as Last Amended by Section 3 of Chapter 137 of the Session Laws of the State of North Dakota for the Year 1933, Relating to State Hail Insurance, Providing for the Levy of a Hail Indemnity Tax, Fixing the Priority of the Lien Therefor; Declaring That Any and All Existing Hail Indemnity Taxes, Which Have Not Heretofore Been Sold to Private Parties, Shall be Liens Subsequent and Inferior to Mortgages, Liens and Judgments Executed Prior to the Levy of Such Hail Indemnity Taxes; and Declaring an Emergency.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 127. A Bill for an Act to Amend and Reenact Chapter 216, Session Laws 1923, Constituting Section 950a2 of the 1925 Supplement; and Providing for the Division and Consolidation of Voting Districts.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 143. A Bill for an Act to Provide That Judgments or Liens Not Renewed Within Ten Years From Date of Docketing, Shall Be Discharged and Satisfied of Record.

Senate Bill No. 145. A Bill for an Act Providing for the Renewal of Mechanic's Liens and for the Cancellation and Discharge Thereof Unless Renewed Within Six Years From the Date of Filing.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments. Senate Bill No. 131. A Bill for an Act to Amend and Re-

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Senate Bill No. 95. A Bill for an Act to Amend and Reenact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed.

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Paragraph (c) of Section 7, Chapter 164, of the Session Laws of 1919, the Same Being Paragraph (c) of Section 4881a7 of 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Mutual Insurance Companies.

Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

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

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 101. A Bill for an Act to Amend and Reenact 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.

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 11, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

JOHN MOSES, Governor.

JM:F

PETITIONS AND COMMUNICATIONS

Senator Olson of Mountrail presented the following communications:

(a) A petition with five hundred signatures of residents in Mountrail county requesting support for House Concurrent Resolution No. 240.

The President announced that this communication would be referred to the proper committee upon receipt of House Concurrent Resolution No. 240.

(b) A petition signed by fifty-two voters in Mountrail county requesting that Senate Bill No. 16 be killed, which was referred to the Committee on Judiciary.

Senator Watt presented a communication from a number of farmers in Cass County requesting amendment of the present state laws governing truck transportation, which was referred to the Committee on Highways.

A communication from the International Hod Carriers' Building and Common Laborers' Union of America, Local No. 443 was received, opposing the passage of House Bill No. 199, which was referred to the Committee on State Affairs.

A communication from the Governor regarding the report of Mr. Clyde Duffy, Special Examiner, was read by the Secretary.

Senator Watt moved that the communication from the Governor and the report of Mr. Clyde Duffy, Special Examiner on his investigation of the Motor Vehicle Department be printed in the Journal, which motion prevailed.

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 10, 1939.

Hon. William Watt,

Chairman, Senate Appropriations Committee, Bismarck, North Dakota.

My dear Senator Watt:

Pursuant to the request of the Appropriations Committee, I have commissioned Mr. Clyde Duffy as Special Examiner and delegated to him the duty of making a special examination and investigation into certain phases of the Motor Vehicle Department.

Mr. Duffy has just completed this brief examination, showing certain irregularities, certain direct violations of the law, and certain matters which appear to be direct malfeasance in office.

The report speaks for itself and is inclosed herewith.

Respectfully submitted, JOHN MOSES.

Governor.

To the Honorable John Moses,

Governor of North Dakota:

In accordance with your instructions, I herewith submit a report of my examination of the Motor Vehicle Registration Department.

REGISTRAR'S SALARY

The salary of the Motor Vehicle Registrar, as contemplated by the legislative appropriation, appears to have been \$160.00 per month and that was the salary received by Mr. McCoy. When Mr. Van Horne became Registrar he drew a salary of \$200.00 per month. He says that the increase was approved by the Highway Commissioner. However, as the appropriation for salary was insufficient to pay him at that rate he filed vouchers in the following form:

Salary of Registrar	\$200.00
Charged to Salary	
Clerkhire	40.00
Total	\$200.00

In addition to that Mr. Van Horne received \$59.40 per month from an outside concern for work performed by employes of the Department. The circumstances in connection with this phase of the matter are:

For a number of years the Commercial Service, Inc., had arrangements with employes in the Motor Vehicle Department to furnish lists of car registrations, and other information which was of commercial value, and for this service paid such employes various amounts, which, in recent years, amounted to \$30 per month for each of the two employes who did this work. This arrangement appears to have been approved by the various Motor Vehicle Registrars and the amounts so received by those employes was taken into consideration in fixing the salaries they received from the Motor Vehicle Department. When Mr. Van Horne became Registrar he revised this arrangement. The ditto machine operator had previously received \$75.00 per month from the Department and \$30.00 per month from the Commercial Service, Inc. Mr. Van Horne raised his pay in the Department \$30.00 per month, or to \$105.00, and directed the Commercial Service. Inc., to thereafter not pay such employe but to turn the entire \$60.00, which that Company had been pay-ing, over to the general information clerk. The general information clerk had been receiving \$105.00 per month from the Department and \$30.00 per month from the Commercial Service, Inc. Mr. Van Horne increased her salary to \$135.00 per month and then informed her that thereafter she should receive the entire \$60.00 per month, which was being paid by the Commercial Service, Inc., and should turn that money over to him. That practice has been in operation from March, 1937, until Mr. Van Horne ceased to be Registrar. By reason of the fact that sixty cents per month was deducted by Commercial Service, Inc., to cover social security tax on the salary thus presumably paid to the general information clerk, Mr. Van Horne actually received \$59.40 per month, which was paid semi-monthly.

The net result, of course, was that the Motor Vehicle Department paid an additional \$60.00 per month in salaries to employes in order that Mr. Van Horne might receive an equivalent amount for the services performed by those employes on behalf of the Commercial Service, Inc.

When I questioned Mr. Van Horne regarding this matter he said that he regarded it as a private matter which had nothing to do with the Motor Vehicle Registration Department and, therefore he declined to discuss it.

INSPECTORS

About June, 1937, a number of inspectors were employed by the Motor Vehicle Registration Department. Mr. Van Horne states that these inspectors were selected by the Highway Commissioner but that he considered them necessary. The 1937 appropriation (Chapter 76, Laws of 1937), did not contain any provision for inspectors and, consequently, their salaries could not be charged against the money appropriated for operating expenses. However, the salaries and expenses of those inspectors were charged against the Motor Registration Fund, which represents all of the monies collected by the Motor Vehicle Registration Department and which monies are deposited with the State Treasurer. This arrangement appears to have been clearly illegal. The basis for these payments is claimed to be found in Chapter 160, Laws of 1929. Section 11 thereof provides:

"All salaries and compensation of the Registrar and other employes charged with the operation and enforcement of the Motor Vehicle Registration Act * * * and all office and other expenses in connection with the enforcement of said Acts * * * shall be monthly, after being approved by the State Highway Commissioner, audited and allowed by the State Auditing Board, and when allowed by said Board it shall be the duty of the State Auditor to draw a warrant on the State Treasurer for the payment thereof out of said Motor Registration Fund."

And Section 13 of said Chapter provides:

"The State Highway Commissioner is hereby authorized to employ all office help and purchase all supplies necessary to carry out the provisions of this Act."

If these Sections give to the State Highway Commissioner unlimited discretion to employ whatever help he saw fit and to purchase whatever supplies he saw fit and to spend the entire Motor Registration Fund for whatever purposes he saw fit, it would clearly be unconstitutional.

"Following State ex rel Rush vs. Budge, 14 N. D. 532, 105 N. W. 724, and State ex rel Miller Vs. Taylor, 27 N. D. 77, 145 N. W. 425, it is held that Section 4 of the Motor Vehicle License Act in conferring upon the Secretary of State unlimited power to employ agents and incur expense is unconstituitional as involving an attempted delegation of legislative power."

(State ex rel City of Fargo vs. Wetz, 40 N. D. 299, 169 N. W. 835).

Therefore, if the law is to be regarded as constitutional it must be interpreted to mean that the State Highway Commissioner shall employ such help and incur such expense as the Legislature may from time to time authorize. This appears to have been the practical construction placed upon the law by the Motor Vehicle Registration Department and by the Legislature. If that law gave to the Commissioner or the Motor Vehicle Department the right to employ such help as they might see fit and to incur such expenses as they might deem necessary and to charge the same against the total collections made by the Department, then there was no occasion whatsoever for any legislative appropriations. Yet, we find that the same year this law was enacted the Legislature did, by Chapter 27, Laws of 1933, appropriate \$72,-040.00 for the operating expenses of the Department. Likewise, in 1935, by Chapter 75, the Legislature made an appropriation for operating expenses of the Department in the amount of \$113,340.00. In 1937, by Chapter 76, another appropriation was made in the amount of \$177,840.00, and, by Chapter 77, a deficit appropriation for the biennium ending June 30, 1937, was made in the amount of \$70,498.65. If the Department already had authority to incur such expenses as it deemed necessary it appears remarkable that the Department requested a deficit appropriation by the 1937 Legislative Assembly.

The salaries and expenses paid to such inspectors and charged against the Motor Registration Fund without legislative authority during the year 1938 were as follows:

	ing the year 1000 note us	
Travel		26,428.11
	· · · · · · · · · · · · · · · · · · ·	

Total	\$52,942.29

I do not have the exact figures for the entire period, but since June, 1937, there appears to have thus been paid out, something over \$82,000.00.

In addition to the objections heretofore noted, attention should be called to the provisions of Section 9 of Chapter 199, Laws of 1933, which reads as follows:

"The Regulatory Department shall, as a part of its duties, supervise the enforcement of the laws requiring Registration of all motor vehicles * * * and from the date that this Act takes effect it shall be unlawful for the Registrar of Motor Vehicles to appoint any inspector, deputy, or other officer charged with the performance of any of the duties hereby imposed upon the said Regulatory Department."

ADDRESSOGRAPH

In October, 1938, the Department entered into an arrangement with the Addressograph-Multigraph Corporation to install an automatic addressograph, with various equipment. The contract was signed by the Highway Commissioner, but Mr. Van Horne says that the purchase was approved by both him and the Commissioner. The contract price was as follows:

Addressogra	ph and	equipment	\$11,308.05
Installation	labor		17,710.00

Total		\$29.	018.05
Total	***************************************	\$29,	018.05

This purchase was made upon the same theory that the inspectors were employed. As Mr. Van Horne said, it was the position of the Department that they could incur any expenses that they deemed necessary for the operation of the Department and charge it against the funds received for registration of cars, without regard to any appropriation made by the Legislature. For the reasons already outlined, I am unable to agree with this interpretation of the law. The Appropriation Act for 1937 fixed an appropriation of \$2,500.00 for furniture and fixtures and \$2,500.00 for office supplies. Clearly, the Legislature did not contemplate an expenditure of \$30,000.00.

Vouchers in the aggregate amount of \$3,637.16, dated October 29, 1938, in connection with the purchase and installation of this addressograph, were approved by the Department and were so approved by the Auditing Board and were paid by the State Treasurer. Additional vouchers were approved by the Department covering the contract price. Of these, vouchers in the aggregate amount of \$20,343.15 were made in the name of The Bank of North Dakota, assignee of Addressograph-Multigraph corporation. It appears that the first difficulty in connection with the payment of these vouchers occurred by reason of the fact that the Motor Registration Fund had itself been exhausted. An arrangement was made whereby the Bank of North Dakota was to take an assignment of the claim of the Addressograph-Multigraph Corporation and carry the same until the fund was replenished. Apparently, however, that deal was contingent upon the approval of the warrants by the Auditing Board. These vouchers were submitted to the Auditing Board but it appears that the Governor was the only one who approved thereof and, by reason of the fact that the other members did not approve, the vouchers were not paid by the State Auditor. Subsequently, a mandamus action was brought to require the payment of these vouchers but the action was dismissed by the District Court of Burleigh County.

CONCLUSION

It is my conclusion, therefore, that the arrangement whereby the Registrar in effect received three salaries aggregating \$259.40 per month, instead of the salary of \$160 per month contemplated by the budget of that Department, represents a mis-appropriation of funds, that the expenditure of \$82,000.00 for salaries and expenses of inspectors represents an illegal expenditure of public funds; and that the payment of \$3,637.16 in connection with the purchase of the Addressograph likewise represents an illegal expenditure of public funds.

It is only fair to the Department to say that the employment of these inspectors and the purchase of the addressograph was, in part at least, upheld by opinions rendered by the Attorney General's Department. I am forced to the conclusion, however, that these opinions must have been rendered without adequate consideration.

The matter of the triple salaries, however, does not appear to have had any justification.

Certain other matters are touched upon in the record, which is herewith transmitted, but the evidence thereon is not sufficient to justify a report at this time.

Dated this 9th day of February, 1939.

Respectfully submitted,

CLYDE DUFFY,

Special State Examiner.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 11, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 43. A Bill for an Act to Amend and Reenact Section 3790 of the Compiled. Laws of the State of North Dakota for the Year 1913 With Reference to Boards of City Commissioners and Salaries Paid Thereto.

Senate Concurrent Resolution No. 129. A Concurrent Resolution Memorializing Congress to Support the Proposed Legislation Prohibiting Retro-active Federal Taxation of State and Municipal Securities and Employes.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

House Bill No. 107. A Bill for an Act to Amend and Reenact Section 17 of Chapter 148 of Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

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

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 131. Senate Bill No. 143. Senate Bill No. 78. Senate Bill No. 146. Senate Bill No. 147. Senate Bill No. 163, and Senate Bill No. 145. And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 19, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 25, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

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

Senator Thatcher requested that the Senate be on the 8th Order of Business, which motion prevailed.

Senator Thatcher moved that the vote by which Senate Bill No. 63 was indefinitely postponed be reconsidered, which motion prevailed.

The presiding officer announced that Senate Bill No. 63 will be re-considered.

The presiding officer announced that the Senate would return to the 5th Order of Business.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

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

Senator Morrison requested that the Senate be on the 8th Order of Business, which motion prevailed.

Senator Morrison moved that as Senate Concurrent Resolutions Nos. 19 and 25 are almost exactly the same, the names of Senators Beaton, Nelson of McKenzie and Bilden shall be shown with his name in the permanent printing of Senate Concurrent Resolution No. 25, for the reason that Senate Concurrent Resolution No. 19 was indefinitely postponed, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 190, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 191, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to repeal Section 8 of Chapter 125 of the 1933 Session Laws relating to duties of State Highway Commissioner and to dispense with the necessity of filing monthly with the State Auditing Board an itemized statement of materials sold or purchased.

Introduced by Senator Blaisdell.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to facilitate the cooperation of this State with other units of government and to establish an unpaid commission for that purpose, and declaring an emergency.

Introduced by Senators Fredrickson and Guthrie.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

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

Senator Blaisdell moved that House Bill No. 245 be placed on Second Reading and Final Passage which motion prevailed.

The presiding officer announced that the Senate would be on the 13th Order of Business for the second reading of House Bill No. 245.

SECOND READING OF HOUSE BILLS

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in	the affirmative wer	re:
Aandahl	Gronvold	Nelson, Grand Fks.
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Blank	Hill	Streibel
Blaisdell	Holl	Stucke
Brant	Isaak	Thorson
Bridston	Kamrath	Торр
Braun	Lavik	Trout
Dahl	Lemke	Troxel
Drew	Leum	Tweten
Flatt	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Wog
Gilbert son Greise r	Morrison	Young

Those voting in the negative were: Bilden Olson, McHenry Thatcher Nelson, McKenzie Skarvold

Absent and not voting: Raschko

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

Senator Blaisdell moved that the vote by which House Bill No. 245 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

The presiding officer announced that the Senate would return to the Tenth Order of Business for the First Reading of Senate Bills.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 250. A Bill for an Act to Amend and Reenact Section 2565 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 109, of the Session Laws of 1929, Relating to Salaries and Fees of Members of Board of Commissioners of Insanity, by Whom Paid, and Declaring an Emergency.

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

Senators Fredrickson and Guthrie introduced:

Senate Bill No. 251. A Bill for an Act to Facilitate the Co-operation of This State With Other Units of Government and to Establish an Unpaid Commission for That Purpose, and Declaring an Emergency.

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

Senator Blaisdell introduced:

Senate Bill No. 252. A Bill for an Act to Repeal Section 8 of Chapter 125 of the 1933 Session Laws Relating to Duties of State Highway Commissioner and to Dispense With the Necessity of Filing Monthly With the State Auditing Board an Itemized Statement of Materials Sold or Purchased.

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

The Committee on Appropriations introduced:

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

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

Senators Blank and Guthrie introduced:

Senate Bill No. 254. A Bill for an Act Making an Appropriation for Payment for Lands Owned by the State Treasurer as Trustee for the State of North Dakota in the Vicinity of Established Indian Reservations.

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

The Committee on Appropriations introduced:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 11, 1939

Mr. Speaker: I have the honor to return: House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 105. A Bill for an Act Amending and Reenacting Section 5063 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 165 of the Session Laws of North Dakota for the Year 1931, Relating to the Regulation and Control of the Payment of Death Benefits by Fraternal Benefit Societies; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Inose voting in	the arminative were.	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Skarvold
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson

SATURDAY, FEBRUARY 11, 1939

Bridston	Lavik	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Absent and not voting:

Raschko Streibel

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The President resumed the Chair.

Senate Bill No. 7. 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aasen	Gronvold	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Skarvold
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Absent and not voting: Aandahl Raschko

Guenther

Streibel

Whelan

So the bill passed and the title was agreed to.

Senator Streibel moved an amendment to Senate Bill No. 56 as follows: At the end of the title, after the word "herewith" in the last line, strike out the semi-colon and insert a period and strike out the balance of the line, and strike out lines 49 thru 52 inclusive, which motion prevailed.

Senator Streibel moved that on page 3, line 32, after the words "per mile," strike out the balance of the line, and lines 33, 34 and 35, which motion prevailed.

Senator Fowler moved the further amendment to Senate Bill No. 56 in line 11 of the title, strike out the figures "199"

and insert in lieu thereof the figures "119," which motion prevailed.

Senator Aandahl moved that the rules be suspended and that Senate Bill No. 56 be considered properly Engrossed, and placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932 Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws 1931, and 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, 31; nays, 16; absent and not voting, 1; passed, 1.

Aandahl	he affirmative were: Gronvold	Owings
Aasen	Hill	Skarvold
Beaton	Isaak	Streibel
Bilden	Kamrath	Thorson
Blaisdell	Leum	Troxel
Brant	Magoffin	Tweten
Bridston	Morrison	Watt
Flatt	Nelson, McKenzie	Whelan
Fowler	Olson, McHenry	Wog
Fredrickson	Olson, Mountrail	Young
Greiser		
Those voting in t	he negative were:	

Blank Guthrie Morgan Holl Nelson, Grand Fks. Braun Thatcher Dahl Lavik Lemke Topp Drew Trout Gilbertson Lian Guenther

Absent and not voting: Raschko

Passed:

Stucke

So the bill was declared lost on account of not having received a constitutional majority.

Senator Thatcher moved that the vote by which Senate Bill No. 56 lost be reconsidered, and the motion to reconsider be laid on the table, which motion lost.

Senator Stucke requested that he be excused from voting on Senate Bill No. 56.

Senator Whelan moved that Senator Stucke be excused from voting on Senate Bill No. 56, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 11, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

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:

Senate Bill No. 60.

Senate Bill No. 66.

Were delivered to the Governor for his approval at the hour of 3:15 P. M., February 11, 1939.

W. J. TROUT, Chairman.

Senator Lian moved that the Senate recess for twenty minutes which motion prevailed.

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

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 225, have had the same under consideration and recommend that the same be ordered printed.

FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 157, have had the same under consideration and recommend that the same be ordered printed.

FRED J. FREDRICKSON, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act to amend and re-enact subdivision (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 143 of the Session Laws of North Dakota for 1933, relating to the distribution of State Bar Funds to the Bar Association of North Dakota and declaring an emergency.

Introduced by Senator Fredrickson.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Insurance introduced:

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Subdivision (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143 of the Session Laws of North Dakota for 1933. Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 146. A Bill for an Act Empowering the Governing Board of Cities and Villages to Provide for the Lighting of All Streets, Avenues, Alleys, Sidewalks, Wharves, Parks and Public Grounds, and for the Furnishing and Supplying of Electric Energy or Gas to the City or Village for Lighting, Power, and Other Municipal Purposes, and to the Inhabitants Thereof, and to Enter Into Contracts for Electric Energy or Gas for Municipal and Private Purposes, and Specifying the Manner of Execution of Such Contracts, and Repealing Chapter 173, of the Session Laws of North Dakota for 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

affirmative were:		
Gronvold	Olson, Mountrail	
Guenther		
Guthrie		
Hill	Streibel	
Holl	Stucke	
Isaak	Thatcher	
Lavik		
Lemke		
Leum	Trout	
Lian	Troxel	
Morgan	Tweten	
Morrison	Watt	
Nelson, Grand Fks.	Whelan	
Nelson, McKenzie	Wog	
Olson, McHenry	Young	
ting:		
Magoffin	Raschko	
	Gronvold Guenther Guthrie Hill Holl Isaak Lavik Lemke Leum Lian Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie Olson, McHenry ting:	GronvoldOlson, MountrailGuentherOwingsGuthrieSkarvoldHillStreibelHollStuckeIsaakThatcherLavikThorsonLemkeToppLeumTroutLianTroxelMorganWattNelson, Grand Fks.WhelanNelson, McKenzieWogOlson, McHenryYoung

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

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in th	e affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt .	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Gilbertson

Raschko

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

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal, and Providing Penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Those voting in	the all mative were.	
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog

Gronvold	Nelson, Grand Fk	s. Young
Guenther	Olson, McHenry	7
Absent and no	t voting:	
Aandahl	Gilbertson	Watt
Brant	Raschko	
So the bill pass	sed and the title was	agreed to.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Those voung m	the arminative were.	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young

Those voting in the negative were: Watt

Absent and not voting: Gilbertson

Brant

Raschko

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

Senator Blaisdell moved that Senate Bill No. 164 be amended as follows: Strike out all of Section 4, as amended, and insert in lieu thereof, the words: "SECTION 4. EMER-GENCY. An emergency is hereby declared to exist and this Act shall be in full force and effect immediately following its passage and approval," which motion prevailed.

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 164 be considered properly re-engrossed and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 164. A Bill for an Act Relating to the Enactment of Ordinances in Cities Having the Commission Form of Government and Validating Ordinances Heretofore Enacted in Such Cities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in t	he affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young

Absent and not voting:

Aasen Blank

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Gilbertson

Raschko

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation 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, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Those vounts in the	arrithactive were.	
Beaton	Hill	Owings
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Lian	Thorson
Braun	Magoffin	Topp
Flatt	Morgan	Trout
Fowler	Morrison	Troxel
Fredrickson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young
Those voting in the	negative were:	
Aandahl	Drew	Holl
Aasen	Gilbertson	Tweten
Dahl	Gronvold	

Absent and not voting:

Leum Raschko

So the bill passed and the title was agreed to.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Absent and not voting:

Raschko

Gilbertson Guenther

So the bill passed and the title was agreed to.

Leum

The President announced that the Senate would be on the Eighth Order of Business for the Second Reading of Senate Concurrent Resolutions.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Was read the second time.

Senator Blank moved the adoption of Senate Concurrent Resolution No. 185, which motion prevailed.

So Senate Concurrent Resolution No. 185 was declared adopted.

The President announced that the Senate would be on the Eleventh Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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 second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lavik	Topp
Braun	Lemke	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	,

Absent and not voting:

Leum Raschko

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the Fifth Order of Business, which request was granted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Amending and Re-enacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Introduced by Senators Bridston, Fowler and Blaisdell. Have had the same under consideration and recommend

that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Authorizing the State Treasurer to Invest and Re-invest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

Senator Drew requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Drew moved that Senate Bill No. 166 be withdrawn, which motion prevailed.

Senator Drew moved that Senate Bill No. 197 be rereferred to the Committee on Judiciary from the Committee on Public Health, which motion prevailed.

The President announced that the Senate would be on the Eleventh Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 10, of Chapter 102, of the Session Laws of the State of North Dakota for the Year 1937, Relating to Rentals and the Selection of Tenants in Housing Projects of Housing Authorities, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

Absent and not voting: Blaisdell Leux

Leum

Raschko

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Thatcher moved that Senate Bill No. 218 be amended as follows: That the Emergency Clause be added to the title, which motion prevailed.

Senator Thatcher moved that the Rules be suspended and Senate Bill No. 218 be considered properly Engrossed and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 218. A Bill for an Act to Amend and Reenact Section 9, of Chapter 311 of the Session Laws for the Year 1931, as Amended and Re-enacted by Chapter 269, of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting 3.

Those voting in	the affirmative were:	
Aandahl	Greiser	Olson, McHenry
Aasen	Gronvold	Olson, Mountrail
Beaton	Guenther	Owings
Bilden	Guthrie	Skarvold
Blank	Hill	Streibel
Blaisdell	Holl	Stucke
Brant	Isaak	Thatcher
Bridston	Kamrath	Thorson
Braun	Lavik	Trout
Dahl	Lemke	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, McKenzie	Young

Those voting in the negative were: Topp

Absent and not voting:

Leum Nelson, Grand Fks. Raschko

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Watt requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Watt moved that the Senate be on the Twelfth Order of Business for the first reading of House Bills, and that at the conclusion of the Twelfth Order of Business, the Senate do recess until 1:00 P. M., Monday, February 13th, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

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

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

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

House Bill No. 107. A Bill for an Act to Amend and Reenact Section 17 of Chapter 148 of Session Laws of 1931, Relating to Hunting Upon the Premises of Another. Was read the first time and referred to the Committee on

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

Pursuant to Senator Watt's motion, the Senate now stood recessed until 1:00 P. M., Monday, February 13th.

WM. J. LOWE, Secretary.

FORTIETH DAY AFTER RECESS AND FORTY-SECOND DAY

Bismarck, February 13, 1939.

The Senate reconvened at 1:00 P. M., pursuant to recess taken, Saturday, January 11th.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 218. Senate Bill No. 6 and

Senate Bill No. 164.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

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

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

Senate Concurrent Resolution No. 106.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 159, have had the same under consideration and recommend that the same be not printed but that sufficient copies thereof be mimeographed and that it be amended as follows:

In Section 2 on page 10 in line 158 after the word "Section" change the figure "2" to "11"; on page 11 place a period at the end of line 169 and strike out all of line 170; in line 173 change the word "any" to "this"; in line 175 strike out "(as defined in this Act)" and insert in lieu thereof "as defined in the Railroad Unemployment Insurance Act," and re-number lines accordingly.

In Section 13 on page 31 strike out all of line 16 and renumber lines accordingly.

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

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

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

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 235, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred a bill for an Act authorizing investment of all trust funds by legal custodian; providing appropriations of trust funds for investment purposes and repealing all Acts in conflict herewith.

Introduced by Senator Guthrie.

Also:

A bill for an Act to amend and re-enact Section 7412 of the Compiled Laws of 1913 relating to Power of Court Interpleader and declaring an emergency.

Introduced by Judiciary Committee.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

The President announced that the Senate would be on the Eighth Order of Business.

Senator Whelan moved that two thousand additional copies of the report of the sub-committee of the Committee on Education Re: Letter sent out by the Manager of the State Fire and Tornado Fund be printed, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 257. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

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

The Committee on Taxes and Tax Laws introduced:

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

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

The Committee on Education introduced:

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

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

Senators Bridston, Fowler and Blaisdell introduced:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102. Session Laws of the State of North Dakota for the Year 1929.

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

The Committee on Delayed Bills introduced:

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands.

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

Senator Guthrie introduced:

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

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

The Committee on Judiciary introduced:

Senate Bill No. 263. A Bill for an Act to Amend and Re-

enact Section 7412 of the Compiled Laws of 1913, Relating to Power of Court, Interpleader, and Declaring an Emergency.

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

The President announced that the Senate would return to the Fifth Order of Business for the reading of Standing Committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 104, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

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

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 76 to 93 inclusive. Insert in lieu thereof the following: "Cases arising under this section shall have precedence over all other civil cases. Any judgment hereafter obtained in any action under this Act shall be a prior lien over all other judgments and liens, except those in existence prior to the original enactment of this provision; Provided, that the lien of any such judgment hereafter obtained shall be junior and inferior to any and all mortgages, liens or judgments theretofore recorded, filed or docketed and held by the United States of America; or any agency or instrumentality thereof."

And when so amended recommend the same do pass.

M. R. YOUNG H. C. GUENTHER GUST WOG A. W. FOWLER RILIE R. MORGAN G. F. DREW T. WHELAN J. B. BRIDSTON N. N. NELSON WM. WATT A. N. LAVIK

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 32, have had the same under consideration and recommend that the same be indefinitely postponed.

> ANDREW SKARVOLD BEN GILBERTSON R. A. OWINGS AXEI, OLSON C. C. MORRISON.

Senator Young moved that the report of the majority of the Committee on State Affairs be adopted, which motion prevailed.

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

Senate Bill No. 35, have had the same under consideration and recommend that a conference Committee be appointed.

B. W. LEMKE, Chairman.

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

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

House Bill No. 193, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

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

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

House Concurrent Resolution No. 91, have had the same under consideration and recommend that the same be amended as follows:

In line 12, strike out the words "any measure" and in line 13, strike out the period after the word "petition" and add the following: "any measure introduced in or amended and rejected by the Legislative Assembly in the regular or special session next preceding such election."

That the same be further amended by striking out the word "thirty" in lines 11 and 17 and inserting in lieu thereof the word "fifteen."

That the same be further amended by adding a new paragraph between lines 35 and 36 to read as follows: "All initiated measures providing for the expenditure of public funds shall prescribe in such act when initiated a special levy or tax and the method by which such funds shall be raised to carry into effect the purpose of the measure so initiated."

That the same be further amended by inserting a new paragraph between lines 64 and 65 to read as follows: "If more than one measure, initiated or referred, is to be placed upon the ballot, the Secretary of State shall place all measures proposing amendments to the Constitution in one group and other measures in another group and shall number all measures consecutively."

Re-number lines accordingly.

And when so amended recommend the same do pass.

B. W. LEMKE, Chairman.

Senator Blaisdell moved that the report be adopted and printed in the Journal without reading, which motion prevailed, and the report was adopted.

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

Senate Bill No. 231, have had the same under consideration and recommend that the same be indefinitely postponed.

B. W. LEMKE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 113, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act to Amend and Re-enact Sections 2079b1, 2079b4 and 2079b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Certificates, etc.

Introduced by Committee on Education.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

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

MESSAGE FROM THE HOUSE House of Representatives,

Bismarck, February 13, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

Which the House has passed unchanged.

Senate Bill No. 97. A Bill for an Act to Repeal Subsection 3 of Section 9 of Chapter 249 of the Session Laws of North Dakota for the Year 1937 Requiring Returns of Retail Sales Tax Collections to be Verified by Oath and Declaring an Emergency.

Which the House has indefinitely postponed.

Mr. President: I have the honor to transmit:

House Bill No. 23. 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.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

House Bill No. 120. A Bill for an Act Establishing Rules

and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

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

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE BILLS

The Committee on Education introduced:

Senate Bill No. 264. A Bill for an Act to Amend and Reenact Sections 2079b1, 2079b4, and 2079b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Certificates of Indebtedness and Warrants; Providing for the Issuance of Deferred Payment Warrants; and Repealing Section 2079b13 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and as Amended and Re-enacted by Chapter 283 of the Session Laws of 1935, and All Laws or Parts of Laws in Conflict Therewith.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 186. A Bill for an Act Providing the Maximum Salary or Compensation Which May Be Paid to or Received by Any Member, Appointee or Employee of Any Board, Bureau, Commission or Department of the State of North Dakota and Providing Penalties for Violation of This Act.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 13; absent and not voting, 5. · · · ·

Those voting in	n the affirmative were:	
Aandahl	Hill	Skarvold
Aasen	Holl	Streibel
Beaton	Lavik	Thorson
Blaisdell	Lemke	Topp
Brant	Leum	Trout
Dahl	Magoffin	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, McKenzie	Watt
Gilbertson	Olson, McHenry	Whelan
Guenther	Owings	Wog
Guthrie	0	

Those voting in the negative were:

Blank	Kamrath	Olson, Mountrail
Bridston	Lian	Raschko
Drew	Morgan	Stucke
Fredrickson	Nelson, Grand Fks.	Thatcher
Gronvold	a contration of the second	

Absent and not voting:

Bilden Greiser Young Braun Isaak

So the bill passed and the title was agreed to.

Senate Bill No. 6. A Bill for an Act Making an Appropria-tion 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, 48; nays, 0; absent and not voting, 1.

Those voting i	n the affirmative we	re:
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson

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Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	T weten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting:

Braun Greiser

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties 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, 47; nays, 0; absent and not voting, 2.

Those voting	in	the affirmative	were:	
Aandahl		Guthrie	0	Wings

Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting were:

Braun Greiser

So the bill passed and the title was agreed to.

Senator Whelan moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-SECOND DAY

The Senate convened at 2:00 P. M., Senator Fowler presiding.

Prayer by the Chaplain, Rev. O. O. Andvik.

Roll call: All Senators present except Senator Greiser. The Committee on Revision and Correction of the Journal

made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-ninth Day After Recess and Fortieth Day and found the same correct.

C. C. MORRISON, Chairman.

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

PETITIONS AND COMMUNICATIONS

The President announced the receipt of the following communications:

(a) Regarding the Old Age Pension from a number of tax payers in Bowman County, which was referred to the Committee on State Affairs.

(b) Regarding medical aid for the poor from O. O. Ulledalen of Williston, which was referred to the Committee on Public Welfare.

(c) Regarding the purchase of teachers' warrants from O. Fossum of Williston, which was referred to the Committee on Education.

(d) Regarding the purchase of teachers' warrants from the P.T.A. of Grenora School District No. 94, which was referred to the Committee on Education.

Senator Blaisdell presented two resolutions from the Afton Farmers Union No. 665 regarding (a) opposing the elimination of gas tax refunds, which was referred to the Committee on Taxes and Tax Laws; and (b) opposing further increase of the sales tax, which was referred to the Committee on Taxes and Tax Laws.

A communication was received by the Secretary of the Senate from the Workers' Alliance Local G-488, of Bismarck, urging the defeat of House Bill No. 199, which was referred to the Committee on State Affairs.

Senator Olson of Mountrail presented a petition from a number of residents, taxpayers and electors of Mountrail county urging passage of an act providing for the use of hunting dogs, which was referred to the Committee on Game and Fish.

The President announced the receipt of a letter from F. G. Harrington, Administrator of the Works Progress Administration, Washington, D. C., acknowledging receipt of House Concurrent Resolution No. 83.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 13, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

And the President has appointed as a conference committee to act with a like committee from the House, Senators:

> WM. A. THATCHER, FRED J. FREDRICKSON, JAMES W. GUTHRIE.

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Federal Relations to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same do pass.

ED. LIAN, Chairman.

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

Mr. President: Your Committee on Federal Relations to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same do pass.

ED. LIAN, Chairman.

Senator Lian moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Gronvold moved that the absent Senator be excused, which motion prevailed.

Senator Blaisdell moved that further consideration of Senate Bill No. 63 be indefinitely postponed.

Senator Trout demanded a roll call on the motion of Senator Blaisdell to indefinitely postpone further consideration of Senate Bill No. 63, which request was granted.

ROLL CALL

The roll call being on Senator Blaisdell's motion to indefinitely postpone further consideration of Senate Bill No. 63 there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Flatt	Leum
Aasen	Fowler	Lian
Bilden	Fredrickson	Magoffin
Blank	Gilbertson	Morgan
Blaisdell	Gronvold	Nelson, Grand Fks.
Brant	Guenther	Raschko
Bridston	Guthrie	Watt
Braun	Isaak	Young
Dahl		

Those voting in the negative were:

Beaton	Nelson, McKenzie	Thorson	
Drew	Olson, McHenry	Topp	
Hill	Olson, Mountrail	Trout	
Holl	Owings	Troxel	
Kamrath	Skarvold	Tweten	
Lavik	Streibel	Whelan	
Lemke	Stucke	Wog	
Morrison	Thatcher		

Absent and not voting were: Greiser

So Senator Blaisdell's motion that further consideration of Senate Bill No. 63 be indefinitely postponed, prevailed.

Senator Blaisdell 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.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 13, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Which the Senate has amended.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 10, of Chapter 102, of the Session Laws of the State of North Dakota for the Year 1937, Relating to Rentals and the Selection of Tenants in Housing Projects of Housing Authorities, and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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

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Projects and Conferring Additional Power Upon Municipalities, and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Senate Bill No. 146. A Bill for an Act Empowering the Governing Board of Cities and Villages to Provide for the Lighting of All Streets, Avenues, Alleys, Sidewalks, Wharves, Parks and Public Grounds, and for the Furnishing and Supplying of Electric Energy or Gas to the City or Village for Lighting, Power, and Other Municipal Purposes, and to the Inhabitants Thereof, and to Enter Into Contracts for Electric Energy or Gas for Municipal and Private Purposes, and Specifying the Manner of Execution of Such Contracts, and Repealing Chapter 173, of the Session Laws of North Dakota for 1929.

Senate Bill No. 7. 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.

Senate Bill No. 105. A Bill for an Act Amending and Reenacting Section 5063 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 165 of the Session Laws of North Dakota for the Year 1931, Relating to the Regulation and Control of the Payment of Death Benefits by Fraternal Benefit Societies; Declaring an Emergency.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal, and Providing Penalty.

Senate Bill No. 218. A Bill for an Act to Amend and Reenact Section 9, of Chapter 311 of the Session Laws for the Year 1931, as Amended and Re-enacted by Chapter 269, of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Senate Bill No. 164. A Bill for an Act Relating to the Enactment of Ordinances in Cities Having the Commission Form of Government and Validating Ordinances Heretofore Enacted in Such Cities.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Was read the second time.

Senator Morrison moved the adoption of Senate Concurrent Resolution No. 25, which motion prevailed, and the Resolution was declared adopted.

The presiding officer announced that the Senate would be on the 13th Order of Business for the second reading of House bills.

House Bill No. 103 was read for the second time.

Senator Young moved that House Bill No. 103 be rereferred back to the Committee on State Affairs, for consideration of amendments, which motion prevailed.

The presiding officer announced that House Bill No. 103 was re-referred to the Committee on State Affairs.

The Presiding Officer announced that the Senate would return to the 11th Order of Business.

Senator Beaton made the following amendment to Senate Bill No. 189: In line 59, after the word "convenient," insert the word "legal."

Senator Leum made a substitute motion as follows: after the word "convenient" insert the word "public," which motion prevailed.

Senator Whelan moved that the rules be suspended and Senate Bill No. 189 be considered properly engrossed, and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold

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Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Absent and not voting were:

Greiser Nelson, Grand Fks.

So the bill passed and the title was agreed to.

The presiding officer announced that the Senate would be on the Fifth Order of Business for the reading of Standing Committee Reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 107, have had the same under consideration and recommend that the same be indefinitely postponed.

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 110, have had the same under consideration and recommend that the same do pass.

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 79, have had the same under consideration and recommend that the same be indefinitely postponed.

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion lost.

Senator Blaisdell moved that Senate Bill No. 79 be re-referred to the Committee on Game and Fish.

Senator Thorson made a substitute motion that Senate Bill No. 79 be placed on the calendar, which motion prevailed.

Senator Gronvold moved that the courtesy of the floor be extended to H. W. Allen from Emmons county who served in the Senate in 1911, 1913, 1915 and 1917, which motion prevailed.

The presiding officer named Senator Gronvold as a Committee of one to escort Mr. Allen to the rostrum.

Senator Morrison moved that the Secretary of the Senate read a poem on Abraham Lincoln by Edgar A. Guest, which motion prevailed. Senator Blaisdell moved that the Senate be on the Twelfth Order of Business and at the conclusion of the Twelfth Order of Business that the Senate recess for fifteen minutes in memory of Abraham Lincoln, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 23. 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 first time and referred to the Committee on Appropriations.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry. Was read the first time and referred to the Committee on Judiciary.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

The Senate re-convened at the expiration of the fifteenminute recess, the President presiding.

The President announced that the Senate would be on the Fifth Order of Business for the reading of a Standing Committee report.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same do pass. BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 190 was read the second time.

Senator Whelan moved that Senate Bill No. 190 be rereferred to the Committee on Appropriations, which motion prevailed.

Senate Bill No. 191 was read the second time.

Senator Blank moved that Senate Bill No. 191 be rereferred to the Committee on Education, which motion prevailed.

Senate Bill No. 192 was read the second time.

Senator Blaisdell moved that Senate Bill No. 192 be referred to the Committee on Education, which motion prevailed.

Senator Dahl moved that Senate Bill No. 56 be reconsidered for further amendment, which motion prevailed.

Senator Isaak moved the following amendment to Senate Bill No. 56: Strike out the emergency clause in the title, and in line 49, page 3, after the word and figure "Section 5," strike out all of Section 5 and insert in lieu thereof, "This Act shall be in full force and effect from and after January 1, 1941," which motion prevailed.

Senator Fowler moved that the rules be suspended, and that Senate Bill No. 56 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and 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 r li was called and there were ayes, 34; nays, 11; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guenther	Owings
Aasen	Hill	Skarvold
Beaton	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thorson
Bridston	Lemke	Troxel
Braun	Leum	Tweten
Dahl	Morrison	Watt
Flatt	Nelson, McKenzie	Whelan
Fowler	Olson, McHenry	Wog
Fredrickson	Olson, Mountrail	Young
Gronvold		

Those voting in the negative were: Blank Lian

Drew Magoffin Gilbertson Morgan Lavik Raschko Thatcher Topp Trout

Absent and not voting were: Bilden Guthrie Greiser

Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Sepator Dahl 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.

The President announced the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Delayed Bills to whom was referred: A Bill for an Act Providing for an Emergency Commission, Consisting of the Commissioner of Insurance, the Governor and the Attorney General, to Pass Upon All Expenditures of the Emergency Fund of the State Hail Insurance Department; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Delayed Bills to whom was referred: A Bill for an Act Authorizing, Empowering and Directing the Governor and State Treasurer to Issue Negotiable Bonds of the State of North Dakota for the Purpose of Paying Taxes on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota; Providing for a Tax to Pay Principal and Interest; Making an Appropriation Therefor to Carry Out the Provisions of This Act, and Declaring an Emergency.

Introduced by Senator Brant.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fredrickson moved that action on Senate Bill No. 159 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS Senate Bill No. 10. 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, as Provided for Under Chapter 137, Session Laws of 1935; 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were: Aasen Hill Raschko Beaton Holl Skarvold Blank Isaak Streibel Blaisdell Kamrath Stucke Brant Lavik Thatcher Thorson Bridston Lemke Topp Leum Braun Lian Dahl Trout Drew Magoffin Troxel Flatt Morgan Tweten Fowler Morrison Watt Nelson, McKenzie Whelan Fredrickson Olson, McHenry Gilbertson Wog Gronvold Olson, Mountrail Young Guenther Owings

Absent and not voting were: Aandahl Nelson, Grand Fks. Greiser Bilden Guthrie

So the bill passed and the title was agreed to.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in	n the affirmative were:	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, McKenzie	Whelan
Gilbertson	Olson, McHenry	Wog
Gronvold	Clson, Mountrail	Young
Guenther		

Absent and	i not voting were:	
Bilden	Greiser	Nelson, Grand Fks.
Flatt	Guthrie	Watt
So the bill	passed and the title w	vas agreed to.

Senate Bill No. 235. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fiftyone 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, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Watt
Gilbertson	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young

Those voting in the negative were: Fredrickson Tweten

Absent and not voting were:BildenGreiserBlankGuthrieSo the bill passed and the title was agreed to.

Senate Bill No. 104. A Bill for an Act to Amend and Re-

enact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, 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, 42; nays, 0; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Guenther	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gilbertson	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young

Absent and n	ot voting were:	
Bilden	Guthrie	Nelson, Grand Fks.
Blank	Kamrath	Stucke
Greiser		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 113 was read the second time.

Senator Blaisdell moved that action on Senate Bill No. 113 be laid over for one legislative day, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 13, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

'louse Bill No. 57. A Bill for an Act to Amend and Re-

enact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Reenact 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.

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that the Senate be on the Tenth Order of Business for the First reading of Senate Bills and then on the Fifteenth Order of Business for the signing of bills, after which the Senate adjourn until 1:00 P. M., February 14th, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Stucke and Thatcher introduced:

Senate Bill No. 265. A Bill for an Act Providing for an Emergency Commission, Consisting of the Commissioner of Insurance, the Governor and the Attorney General, to Pass Upon All Expenditures of the Emergency Fund of the State Hail Insurance Department; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Brant introduced:

Senate Bill No. 266. A Bill for an Act Authorizing, Empowering and directing the Governor and State Treasurer to Issue Negotiable Bonds of the State of North Dakota for the Purpose of Paying Taxes on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota; Providing for a Tax to Pay Principal and Interest; Making an Appropriation Therefor to Carry Out the Provisions of This Act and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 106. A Concurrent

Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 101. A Bill for an Act to Amend and Reenact 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. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

And the President signed the same in the presence of the Senate.

The Senate stood recessed pursuant to Senator Whelan's motion, until 1:00 P. M., February 14th.

WM. J. LOWE, Secretary.

FORTY-SECOND DAY AFTER RECESS AND FORTY-THIRD DAY

Bismarck, February 14, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 13th, with the President presiding.

The President announced that the Senate would be on the 11th Order of Business.

Senator Fredrickson moved that Senate Bill No. 159 be placed at the foot of the calendar, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 14, 1939.

Mr. Speaker: I have the honor to transmit: Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Which the President has signed and your signature is respectfully requested.

Mr. Speaker: I have the honor to return:

House Bill No. 101. A Bill for an Act to Amend and Reenact 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.

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Penalty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Sesion Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded Any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry.

House Bill No. 125. A Bill for an Act Amending and Re-

enacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended oy Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Per Cent (66 2/3%) of Barley Malt.

Which the President has signed.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 32. A Bill for an Act to Amend Section 396a8 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 315 of the Session Laws for 1931, Relating to Premiums Due the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Fowler	Nelson, Grand Fks.
Aasen	Fredrickson	Raschko
Bilden	Gronvold	Торр
Blank	Guenther	Trout
Brant	Lavik	Troxel
Bridston	Leum	Watt
Braun	Lian	Whelan
• Dahl	Magoffin	Wog
Drew	Morgan	Young
Those voting in	n the negative were:	
Beaton	Kamrath	Skarvold

Those voting in t	the negative were:	
Beaton	Kamrath	Skarvold
Blaisdell	Lemke	Streibel
Flatt	Morrison	Stucke
Gilbertson	Nelson, McKenzie	Thatcher
Greiser	Olson, McHenry	Thorson
Holl	Olson, Mountrail	Tweten
Isaak	Owings	

Absent and not voting: Guthrie Hill

So the bill passed and the title was agreed to.

Senator Olson of Mountrail: Mr. President, I wish to explain my vote. I don't believe in giving any banking corporation exemption from the laws of North Dakota. Therefore, I vote "No."

Senator Fowler moved that further consideration of House Bill 193 be indefinitely postponed.

Senator Stucke demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Sentor Fowler that further consideration of House Bill No. 193 be indefinitely postponed, there were ayes, 21; nays, 28; absent and not voting 0.

Those voting in the affirmative were:

Fredrickson	Lian
Gilbertson	Magoffin
Gronvold	Nelson, Grand Fks.
Guenther	Raschko
Guthrie	Торр
Hill	Watt
Lavik	Young
	Gilbertson Gronvold Guenther Guthrie Hill

Those voting in	the negative were:	
Beaton	Lemke	Streibel
Bilden	Leum	Stucke
Blank	Morgan	Thatcher
Braun	Morrison	Thorson
Dahl	Nelson, McKenzie	Trout
Flatt	Olson, McHenry	Troxel
Greiser	Olson, Mountrail	Tweten
Holl	Owings	Whelan
Isaak	Skarvold	Wog
Kamrath		

So the motion was declared lost.

Senator Fowler made the following amendment to House Bill No. 193: On page 2, line 13, strike out the word and figure "May 20th" and insert in lieu thereof the word and figure "March 1st," which motion prevailed.

Senator Fowler moved that the rules be suspended and that House Bill No. 193 be placed on second reading and final passage as amended, which motion prevailed.

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 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, as amended, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Lemke	Stucke
Bilden	Morrison	Thatcher
Blank	Nelson, McKenzie	Thorson
Braun	Olson, McHenry	Trout
Greiser	Olson, Mountrail	Troxel
Holl	Owings	Tweten
Isaak	Skarvold	Whelan
Kamrath	Streibel	Woz
Lavik		-

Those voting in the negative were:

Aandahl	Fowler
Aasen	Fredrickson
Blaisdell	Gilbertson
Brant	Gronvold
Bridston	Guenther
Dahl	Guthrie

Lian Magoffin Morgan Nelson, Grand Fks. Raschko Topp

Drew	Leum	Watt
Flatt	Hill	Young
0 11 1 11	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

So the bill passed and the title was agreed to.

Senator Stucke 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.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 14, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 234. A Bill for an Act to Amend and Reenact Section 3802, Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

House Bill No. 246. A Bill for an Act to Amend and Reenact Subdivision (5) of Section 4059 of the Compiled Laws of 1913, as Amended by Chapter 180 of the Session Laws of 1929, Relating to Elections and Powers of Park Commissioners; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

House Bill No. 5. 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, and Declaring an Emergency.

House Bill No. 24. 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. 31. 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.

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

House Bill No. 216. A Bill for an Act to Amend and Re-

enact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Lian moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-THIRD DAY

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. O. O. Andvik. Roll Call: All Senators present.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fortieth Day after Recess and the Forty-Second Day and recommends that the same be corrected as follows:

On page 373, line 40, add the words "which motion lost." On page 359, line 3, change "January" to "February."

On page 360, strike out lines 37 to 47 inclusive.

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed, and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Olson of Mountrail presented (a) petitions from 143 citizens of Mountrail County urging passage of the "Medical Freedom Bill" which was referred to the Committee on Public Health; (b) petitions from 90 citizens of Mountrail County urging defeat of the "Basic Science Bill" and the "Quo Warranto Bill" which was referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 189.

Senate Bill No. 56.

Senate Bill No. 32 and

Senate Bill No. 159.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 51.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title, after the word "Sections" include the number 1, and in the last line of the title after the word "Therefor," strike out the "period" and insert a "comma" and the language "And Declaring an Emergency."

Insert a new Section, SECTION 1, to read as follows: SECTION 1. AMENDMENT.) That Section 1, of Chapter 91, of the 1935 Session Laws of North Dakota, be and the same is hereby amended and re-enacted to read as follows: SECTION 1. There is hereby created the State Athletic Commission to consist of three members, citizens of this State, of good moral character and over the age of twentyone years; one of whom shall be a practicing physician in the state and one of whom shall be a practicing attorney in the state, who shall be appointed by the Governor and shall hold office at his pleasure for a term of three years, except as herein provided and until their successors are appointed and qualified. The third member of said board shall be the Lieutenant Governor of the State of North Dakota, who shall be chairman of said commission by virtue of his office.

Re-number Section 1 as Section 2, Section 2 as Section 3, Section 3 as Section 4, Section 4 as Section 5, Section 5 as Section 6, Section 6 as Section 7, Section 7 as Section 8. Add a new Section 9, as follows: SECTION 9. EMER-GENCY.) This Act is hereby declared to be an emergency Act and shall be in full force and effect after its passage and approval.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 38, 39, 40, 41 and 42.

And when so amended, recommend the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 190, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 259, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 236, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

In line 33, after the words "systems of" and before the word "accounts," insert the words "records and."

In line 37, after the word "systems," insert the words "of records and."

Strike out all of line 39, all of line 40, and all of line 41 and in lieu thereof insert the following: "officials of all political sub-divisions."

And when so amended, return the same herewith without recommendation.

WM. WATT, Chairman.

Senator Young moved that Senate Bill No. 109 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Education to whom was reierred:

Senate Bill No. 29, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 172, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Concurrent Resolution 128, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 198, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted.

Senator Brant made a substitute motion that Senate Bill No. 198, do pass, which motion prevailed.

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act to Amend and Re-enact Section 9918a of the 1925 Supplement to the Compiled Laws for 1913, Relating to the Definition of Larceny of Poultry and Livestock and Prescribing a Penalty, Creating a Presumption, and Prescribing the Authority of Peace Officers. Introduced by Senator Nelson of McKenzie.

Also

A Bill for an Act to Amend and Re-enact Section 1498 of the Compiled Laws of 1913 Relating to the Records of the Teachers' Insurance and Retirement Fund.

Introduced by Committee on Education.

Also

A Bill for an Act Providing Terms for the Resale to the Original Mortgagor, His Heirs, Devisees or Assigns of Lands Acquired by the Board of University and School Lands, as Security for Loans Made by Such Board, and Repealing All Acts or Parts of Acts in Conflict With the Provisions Thereof.

Introduced by Committee on Education.

Also

A Bill for an Act Providing that the Furnishing of Transportation or its Equivalent to School Children Shall be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws in Conflict Therewith.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 237, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 191, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 187, have had the same under consideration and recommend that the same be amended as follows:

In line one of the title strike out the language "not maintaining" and in lieu thereof insert the word "discontinuing."

In line 3 of the printed bill strike out the language "does not maintain" and in lieu thereof insert the following language "for economy discontinues," and also in line 3 after the word "school" insert the word "work."

In line 4 strike out the following language "but which has previously offered high school work."

And when so amended recommend the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 170, have had the same under consideration and recommend that the same be amended as follows:

In line 11 place a period after "State" and strike out balance of line 11 and all of line 12.

And when so amended recommend the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the report of the Committee on Military and Indian Affairs on Senate Bill No. 181, as printed in the Journal on page 283, be adopted, which motion prevailed.

Senator Flatt moved that the report of the Committee on Military and Indian Affairs on Senate Bill No. 184, as printed in the Journal on page 283, be adopted, which motion prevailed.

Senator Lemke moved that the report of the Committee on Elections on Senate Bill No. 167, as printed in the Journal on page 284, be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 152, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 243, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 217, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 242, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 193, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 247, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 250, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 233, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 73, have had the same under consideration and return the bill without recommendation.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that House Bill No. 73 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 174, have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "of" strike out "5%" and insert in lieu thereof "10%."

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 14, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

JOHN MOSES, Governor.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, Februray 14, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 235. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fiftyone 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.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Senate Bill No. 10. 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, as Provided for Under Chapter 137, Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Senate Bill No. 186. A Bill for an Act Providing the Maximum Salary or Compensation Which May Be Paid to or Received by Any Member, Appointee or Employee of Any Board, Bureau, Commission or Department of the State of North Dakota and Providing Penalties for Violation of This Act.

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and

Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 56. A Bill for an Act Amending and Re-enacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Which the Senate has passed and your favorable consideration is requested.

Mr. Speaker: I have the honor to return:

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Which the Senate has passed unchanged.

Mr. Speaker: I have the honor to return:

House Bill No. 107. A Bill for an Act to Amend and Reenact Section 17 of Chapter 148 of Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

FIRST READING OF SENATE BILLS

Senator Nelson of McKenzie introduced:

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Section 9918a of the 1925 Supplement to the Compiled Laws for 1913, Relating to the Definition of Larceny of Poultry and Livestock and Prescribing a Penalty, Creating a Presumption, and Prescribing the Authority of Peace Officers.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Education introduced:

Senate Bill No. 268. A Bill for an Act to Amend and Reenact Section 1498 of the Compiled Laws of 1913, Relating to the Records of the Teachers' Insurance and Retirement Fund.

Was read the first time and referred to the Committee on Education.

The Committee on Education introduced:

Senate Bill No. 269. A Bill for an Act Providing Terms for the Resale to the Original Mortgagor, His Heirs, Devisees or Assigns of Lands Acquired by the Board of University and School Lands, as Security for Loans Made by Such Board; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Thereof.

Was read the first time and referred to the Committee on Education.

The Committee on Education introduced:

Senate Bill No. 270. A Bill for an Act Providing That the Furnishing of Transportation or Its Equivalent to School children Shall be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws in Conflict Therewith.

Was read the first time and referred to the Committee on Education.

The President announced that the Senate would return to the 5th Order of Business for the reading of reports of Standing Committees.

Senator Whelan requested that the Senate be on the 8th Order of Business.

Senator Whelan requested that his name be placed on the report of the majority of the Committee on Judiciary on Senate Bill No. 152 instead of the report of the minority, which request was granted.

Senator Guthrie moved that the report of the minority of the Committee on Judiciary on Senate Bill No. 152 as printed on page 282 of the Journal, be adopted.

Senator Blaisdell made a substitute motion that the word "majority" be substituted for the word "minority."

Senator Watt demanded a roll call, which was granted.

ROLL CALL

The question being on the substitute motion of Senator Blaisdell that the word "majority" be substituted for the word "minority," there were ayes, 23; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Braun	Lemke	Stucke
Dahl	Morrison	Thorson
Gilbertson	Nelson, McKenzie	Topp
Greiser	Olson, McHenry	Tweten
Hill	Olson, Mountrail	Whelan
Holl	Owings	

Those voting in the negative were:

Aandahl Aasen Bilden Brant Bridston Drew Flatt Fowler

Fredrickson Gronvold Guenther Guthrie Lavik Leum Lian Magoffin

Morgan Nelson, Grand Fks. Raschko Thatcher Troxel Watt Wog Young

Absent and not voting: Blank Trout

So the motion of Senator Blaisdell to substitute the word "majority" for the word "minority" lost.

The question being now on the original motion of Senator Guthrie that the report of the minority of the Committee on Judiciary on Senate Bill No. 152 be adopted, which motion prevailed.

Senator Morrison: Mr. President, I wish to explain my vote. I have watched the operation of the Federal Land Bank and I have seen land foreclosed on in Kidder county so that we have had over three hundred families leave since 1932 and I don't want to have all the people leave Kidder county. I think under the present conditions that as soon as you put a mortgage on your home you have practically sold out and have no way to pay for your home, therefore I vote "aye."

Senator Olson of Mountrail: Mr. President, I wish to explain my vote. I don't believe anybody should be required to mortgage their future. Therefore I vote "aye."

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:

Senate Concurrent Resolution No. 106.

Was delivered to the Secretary of State at the hour of 3:45 o'clock P. M., February 14, 1939.

W. J. TROUT, Chairman.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 14, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Senator Lian requested that the Senate be on the 8th Order of Business.

Senator Lian moved that the Senate be on the 11th Order of Business, and that after the reading of Senate Bill No. 159, the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the fifteen minute recess.

The President announced that the Senate would have Senate Bill No. 159 under consideration for final passage.

Senator Fowler moved that further consideration of Senate Bill No. 159 be laid over one legislative day, which motion prevailed.

Senator Gilbertson moved that Senate Bill No. 113 be re-

referred to the Committee on State Affairs for amendments. Senator Wog made a substitute motion that Senate Bill

No. 113 be indefinitely postponed, which motion prevailed. Senator Watt moved that the vote by which Senate Bill No. 113 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, 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, 43; nays, 2; absent and not voting, 4.

Those voting in	n the affirmative were:	
Aandahl	Holl	Owings
Aasen	Isaak	Raschko
Bilden	Kamrath	Skarvold
Brant	Lavik	Streibel
Braun	Lemke	Thatcher
Dahl	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young
Hill		

Those voting in the negative were: Blank Gronvold

Absent and not voting: Beaton Bridston St Blaisdell

Stucke

So the bill passed and the title was agreed to.

The President announced that the Senate would be on the Thirteenth Order of Business.

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Was read the second time.

ROLL CALL

The question being on adoption of the resolution, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guthrie	Raschko
Aasen	Hill	Skarvold

TUESDAY, FEBRUARY 14, 1939

Bilden	Holl	Streibel
Blank	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gilbertson	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Owings	Young

Those voting in the negative were: Beaton Isaak Olson, Mountrail Greiser Kamrath

Absent and not voting:

Blaisdell Braun

So the resolution was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 79. A Bill for an Act Providing for the Closing of the Hunting Season and Prohibiting all Hunting of Upland Game Birds Until the Opening of the Hunting Season in the Year 1942; Providing a Penalty for 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, 30; nays, 19; absent and not voting, 0.

	이 집에서 다 아파 같이 아파 같이 안 했다.	
Those voting in th	e affirmative were:	
Aandahl	Kamrath	Stucke
Beaton	Lemke	Thatcher
Brant	Leum	Thorson
Dahl	Morrison	Topp
Drew	Nelson, McKenzie	Trout
Gilbertson	Olson, McHenry	Troxel
Greiser	Olson, Mountrail	Tweten
Hill	Raschko	Watt
Holl	Skarvold	Wog
Isaak	Streibel	Young
Those voting in th	ne negative were:	
Aasen	Fowler	Lian
Bilden	Fredrickson	Magoffin
Blank	Gronvold	Morgan
Blaisdell	Guenther	Nelson, Grand Fks.
Bridston	Guthrie	Owings
Braun	Lavik	Whelan

So the bill passed and the title was agreed to.

Senator Tweten moved that the vote by which Senate Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Braun Flatt

Senator Morrison: Mr. President: I wish to explain my

vote. I am voting "aye" on this bill because I think it is a farmers' bill and I come from a farmers' county, therefore I vote "aye."

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 14, 1939.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Adam, Heckman and Bergesen.

MINNIE D. CRAIG, Chief Clerk.

Senator Watt moved that the Senate be on the Twelfth Order of Business, and that at the completion of the Twelfth Order of Business, and the Signing of Bills, the Senate do recess until 1:00 P. M., February 15, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 246. A Bill for an Act to Amend and Reenact Subdivision (5) of Section 4059 of the Compiled Laws of 1913, as Amended by Chapter 180 of the Session Laws of 1929, Relating to Elections and Powers of Park Commissioners; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 234. A Bill for an Act to Amend and Reenact 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 Corporations.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation. Was read the first time and referred to the Committee on Banks and Banking.

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

Was read the first time and referred to the Committee on Banks and Banking.

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 31. 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.

House Bill No. 24. 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.

House Bill No. 5. 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, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Was read the first time and referred to the Committee on Appropriations.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Senate stood recessed until 1:00 P. M., February 15th, pursuant to the motion of Senator Watt. WM. J. LOWE, Secretary.

FORTY-THIRD DAY AFTER RECESS AND FORTY-FOURTH DAY

Bismarck, February 15, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken on February 14th, the President presiding.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 109. Senate Bill No. 122.

Senate Bill No. 152.

Senate Bill No. 170, and

Senate Bill No. 187.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the language "A Bill" and insert in lieu thereof the following:

For an Act Amending and Re-enacting Section 4558 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Stock by a Corporation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. Amendment: Section 4558 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted so as to read as follows:

Section 4558. Kind of Stock. Every corporation shall have power to create two or more kinds of stock, including stock of no par value, of such classes, with such designations, preferences and voting powers, or restriction or qualification thereof, including statements of value as shall be stated and expressed in the articles of incorporation; and preferred stock may, if desired, be made subject to redemption at no less than par, at a fixed time and price, to be expressed in the certificate thereof; and the holders thereof shall be entitled to receive and the corporation shall be bound to pay thereon a fixed yearly dividend, to be expressed in the certificate, payable quarterly, half yearly or yearly before any dividend shall be set apart or paid on the common stock, and such dividends may be made cumulative.

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 256, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 262, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, strike out all of line 2, and that portion of line 3 to and including the figures "\$150,000.00" and in lieu thereof insert the following: "the sum of \$1,134,800.00 out of the County Care, Institutional Collections and Interest Collection Funds of the institution hereafter named."

Strike out all of line 9, and all lines thereafter, and insert in lieu thereof the following:

SALARIES AND WAGES:

1000		3 (C 3) (C 3) (C 7)
1	Administration	\$ 14,800.00
2	Assistant Physicians	30,000.00
3	Other Employes	
OP	ERATING EXPENSE:	
1	Printing and Office Supplies	1.500.00
2	Postage, Telegraph and Telephone	6,000.00
3	Travel Expense	1,000.00
4	O. T. Expense	
5	Auto and Trucks	9,000.00
6	Water Filtration Plant	24,000.00
7	Operation Farm:	
	(a) Stock	10,000.00
	(b) Feed	30,000.00
	(c) Seeds	7,000.00
	(d) Repair	5.000.00
	(e) Equipment	
8	Oils, Paints, Glass and Misc.	8,000.00
9	Electrical Supplies and Repairs	
10	Engine Room Supplies and Repairs	
11	Heating and Plumbing Supplies	
12	Building Material, including Hardware, Car-	
	penter Shop Supplies and Repairs	

13	Blacksmith and Machine Shop Supplies and	
	Repairs	6,000.00
14	Fuel Cost, including Freight	115,000.00
15	Clothing and Footwear	46,000.00
16	Meats, Foods and Tobacco	265,000.00
17	Dining Rooms, Kitchen and Butcher Supplies	
	and Repairs	12,000.00
18	Furniture, Furnishings, Beds and Bedding	10,000.00
19	Janitor Supplies	15,000.00
20	Laundry Supplies and Repairs	8,000.00
21	Drugs, Dental and X-Ray Supplies	35,000.00
22	Religious Services, Patients' Welfare and	
	Patients' Wages	11,000.00
23	Barber and Beauticians' Supplies	4,000.00
24	Insurance, Bonds, Etc., Available July 1, 1939	11,500.00
25	Extraordinary:	1997 - 1997 - 1997 - 1997
	(a) Fire Equipment, Etc.	4,000.00
	(b) Mortuary Supplies	4,000.00
	(c) Irrigation Equipment	2,000.00

Total.....\$1,134,800.00

Re-number all lines in numerical order. And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Blaisdell moved that the report be adopted without reading and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 213, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 125, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred:

Senate Bill No. 227, have had the same under consideration and recommend that the same be brought in without recommendation.

J. C. BLAISDELL, JR., Chairman.

Senator Blaisdell moved that Senate Bill No. 227 be placed on the calendar, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 15, 1939

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

House Bill No. 198. A Bill for an Act Imposing a Tax Upon Theatre and Entertainment Tickets to be Applied to the Old Age Assistance Fund; to Provide for the Collection of Such Tax; Requiring Reports; Naming Exemptions; Establishing a Lien for the Payment of Such Tax; Fixing Fines and Penalties for Violations; Repealing Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

House Bill No. 113. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Boards Administering Poor Relief to Give Equal Consideration to Legally Licensed Practitioners of Medicine, Osteopathy, Chiropractic, Dentistry, Optometry, and Any Other Legally Licensed Practitioner, 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.

House Bill No. 128. A Bill for an Act to Amend and Reenact 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; Relating to Relief for the Poor; Describing the Establishment of a County Relief Board by the Board of County Commissioners, Constituting the County Commissioners in the Respective Counties to Replace the County Welfare Board; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Which the House has passed, and your favorable consideration is respectfully requested.

Mr. President: I have the honor to return:

Senate Bill No. 53. A Bill for an Act to Repeal Section 1796a5 of the Supplement to the Compiled Laws of 1913, Relating to the Appropriation for the Annual Encampment of the Grand Army of the Republic.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the Eleventh Order of Business.

Senator Fowler moved the following amendments to Senate Bill No. 159 as follows:

"SECTION 9. ELECTION AND TERMINATION OF EMPLOYER'S COVERAGE.

(b) Except as otherwise provided in Sub-section (c) of this Section an employing unit shall cease to be an employer subject to this Act only as of the first day of January of any calendar year only if it files with the Bureau, prior to the Fifth day of January of such year, a written application for termination of coverage, and the Bureau finds that there were no twenty different days, each day being in a different week within the preceding calendar year, within which such employing unit employed eight or more individuals in employment subject to this Act. For the purpose of this subsection, the two or more employing units mentioned in Paragraph (2) or (3) or (4) of Section 2 (f) shall be treated as a single employing unit."

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and Senate Bill No. 159 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 13; absent and not voting, 0.

Those voting i	in the affirmative were:	
Aandahl	Guenther	Nelson, McKenzie
Aasen	Guthrie	Olson, McHenry
Beaton	Hill	Olson, Mountrail
Bilden	Kamrath	Owings
Brant	Lavik	Skarvold
Bridston	Lemke	Streibel
Dahl	Leum	Stucke
Fowler	Lian	Thorson
Fredrickson	Magoffin	Торр
Gilbertson	Morgan	Trout

Greiser	Morrison	Troxel
Gronvold	Nelson, Grand Fks.	Wog
Those voting in the	negative were:	
Blank	Holl	Tweten
Blaisdell	Isaak	Watt
Braun	Raschko	Whelan
Drew	Thatcher	Young
Flatt		

So the bill passed and the title was agreed to. And the Emergency Clause was declared carried.

Senator Gilbertson moved that the vote by which Senate Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-FOURTH DAY

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. O. O. Andvik.

Roll Call: All Senators present.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second Day after recess and the Forty-third Day and recommends that the same be corrected as follows:

On page 384 after line 9, insert House Bill No. 102 and title.

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Leum presented two communications as follows:

(a) From 21 taxpayers and residents of the State of North Dakota protesting against the amendment of the present statutes providing for the use of native lignite fuel in state institutions, which was referred to the Committee on State Affairs.

(b) From 36 farmers regarding the amendment of present laws governing truck transportation, which was referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same be amended as follows

That the following be added to the title: "Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency." When so amended the same be presented without recommendation.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 226, have had the same under consideration and recommend that the same be amended as follows:

In line 15 strike out the following words: "crop insurance premiums."

In line 17 strike out the word "production" and insert in lieu thereof "harvesting."

And when so amended recommend the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 171, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: A majority of your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same do pass.

> J. L. FLATT OTTO TOPP BEN GILBERTSON E. MAGOFFIN FRANK H. BEATON WALTER TROXEL

Mr. President: A minority of your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same be indefinitely postponed.

> GUST TWETEN WILLIAM KAMRATH AXEL OLSON HERMAN THORSON MARTIN OLSON ANDREW SKARVOLD ED. A. HILL A. N. LAVIK

Senator Gilbertson moved that the report of the majority

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of the Committee on Agriculture and Livestock on Senate Bill No. 177 be adopted, which motion prevailed. And the report of the majority was declared adopted.

Mr. President: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 171, have had the same under consideration and recommend that the same do pass.

R. A. OWINGS ANDREW SKARVOLD A. N. LAVIK BEN GILBERTSON AXEL OLSON GUST WOG C. C. MORRISON R. R. MORGAN.

Mr. President: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 171, have had the same under consideration and recommend that the same be indefinitely postponed.

> M. R. YOUNG T. E. WHELAN H. C. GUENTHER ROBERT GREISER G. T. DREW N. N. NELSON A. W. FOWLER WM. WATT J. B. BRIDSTON

Senator Young moved that the report of the majority of the Committee on State Affairs be adopted.

Senator Olson of Mountrail made a substitute motion that the word "minority" be substituted for the word "majority" which motion prevailed.

And the report of the minority was declared adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 212, have had the same under consideration and recommend that the same be amended as follows:

In line 25 of the printed bill after the word "first" strike out the period and insert the following: "and upon demand of the assessor, the owner of such stock of goods, wares and merchandise shall furnish said assessor an itemized, sworn statement showing all the inventories taken during the twelve months immediately preceding the first day of April in any one year."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 49, have had the same under consideration and recommend that the Senate concur in the house amendments.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 208, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 5, of the printed bill and at the beginning of line 6, strike out the phrase "It is hereby" and capitalize the letter "F" in the next word "for."

In line 9, after the word "state" strike out the comma and insert a period, following the period insert the phrase, "It is hereby." In the same line after the word "of" strike out the word "new" and insert in lieu thereof, the word "any." In line 10 strike out the suffix "ings" at the beginning of the line, and insert in lieu thereof the suffix "ing." In line 10, change the word "industries" to the word "industry." In line 11, after the word "individual" strike out the comma and insert the language, "and which is of a class and character not already doing business in this state." In line 12, strike out the word "beginning" and insert in lieu thereof, the word "date." At the end of line 12, strike out the comma and insert the words "commencing to do business in this state."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted without being read and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 173, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 241, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 9, of the engrossed bill, strike out the period and insert the following: "and such mileage as the county commissioners may allow, not to exceed five cents per mile actually and necessarily traveled."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Owings moved that Senate Bill No. 267 be withdrawn, which motion prevailed.

Senator Fowler requested that the Senate be on the Ninth Order of Business, which request was granted.

Senator Fowler moved that the Senate concur in the House amendments to Senate Bill No. 49, which motion prevailed.

Senator Fowler moved that the rules be suspended and Senate Bill No. 49 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Fowler requested that the Senate be on the Eleventh Order of Business, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

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, 1; absent and not voting, 0.

Those voting in the affirmative were: Gronvold Olson, McHenry Aandahl Olson, Mountrail Aasen Guenther Beaton Guthrie Raschko Skarvold Bilden Hill Holl Streibel Blank Isaak Stucke Blaisdell Thatcher Brant Kamrath Thorson Lavik Bridston Lemke Topp Braun Leum Trout Dahl Troxel Drew Lian Magoffin Tweten Flatt Watt Fowler Morgan Fredrickson Morrison Whelan Nelson, Grand Fks. Wog Gilbertson Nelson, McKenzie Young Greiser

Those voting in the negative were: Owings

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Owings moved that the Senate act on the Senate bills that are on the calendar before any further action is taken on House Bills, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 15, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators Aandahl, Leum and Drew, relative to Senate amendments to House Bill No. 74.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Sections Six (6) and Seven (7), of Chapter 255, of the Session Laws of 1937, Relating to the State Water Conservation Commission.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in t	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Dahl Thatcher

So the bill passed and the title was agreed to.

Senator Lian requested that the Senate be on the Eighth Order of Business, which motion prevailed.

Senator Lian moved that the Senate recess for ten minutes, which motion prevailed.

The Senate re-convened at the expiration of the tenminute recess.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

I nose voting	in the affirmative were:	
Aandahl	Greiser	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Lavik	Streibe!
Brant	Lemke	Thorson
Dahl	Leum	Торр
Drew	Lian	Troxel
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson		

Bridston	Kamrath	Thatcher
Braun	Morrison	Trout
Gronvold	Nelson, Grand Fks.	Tweten
Isaak	Stucke	Young

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time,

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in t	he affirmative were:	
Aandahl	Greiser	Olson, McHenry
Aasen	Gronvold	Olson, Mountrail
Beaton	Guenther	Owings
Bilden	Guthrie	Raschko
Blank	Hill	Skarvold
Blaisdell	Holl	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Troxel
Drew	Magoffin	Watt
Flatt	Morgan	Whelan
Fowler	Morrison	Wog
Fredrickson	Nelson, McKenzie	Young
Gilbertson	No. of the second	

Absent and n	ot voting:	
Isaak	Nelson, Grand Fks.	Trout
Kamrath	Thatcher	Tweten

So the bill passed and the title was agreed to.

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ominan
Owings
Raschko
Skarvold
Streibel
Stucke
Thorson
Topp
Trout
Troxel

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WEDNESDAY, FEBRUARY 15, 1939

Dahl	Magoffin	Tweten
Drew	Morgan	Watt
Flatt	Morrison	Whelan
Fowler	Nelson, McKenzie	Wog
Fredrickson	Olson, McHenry	Young
Gilbertson	Olson, Mountrail	

Absent and not voting:

Isaak

Thatcher Nelson, Grand Fks.

Lian Kamrath So the bill passed and the title was agreed to.

Senator Whelan moved that the vote by which Senate Bill No. 259 was passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 15, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

Which the Speaker has signed.

Mr. President: I have the honor to transmit:

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILL

Senate Bill No. 236. A Bill for an Act to Amend and Reenact Section 3 of Chapter 255 of the Session Laws of 1937, Relating to the Creation of State Water Conservation Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in	n the affirmative were	
Aandahl	Gronvold	Raschko
Aasen	Guenther	Skarvold
Beaton	Hill	Streibel
Bilden	Holl	Stucke
Blank	Isaak	Thatcher
Blaisdell	Lavik	Thorson
Brant	Lemke	Topp
Bridston	Leum	Trout

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Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Olson, McHenry	Wog
Gilbertson	Olson, Mountrail	Young
Greiser	Owings	

Those voting in the negative were: Nelson, McKenzie

Absent and not voting: Braun Kamrath Lian Guthrie

So the bill passed and the title was agreed to.

Senator Young moved that action on Senate Bill No. 109 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 15, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

REPORT OF THE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 51 was delivered to the Governor for his approval at the hour of 4:05 P. M. o'clock, February 15, 1939. W. J. TROUT, Chairman.

SECOND READING OF SENATE BILLS

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the :	affirmative were:
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Inose voung in	the arrithautie we	10.
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thorson

WEDNESDAY, FEBRUARY 15, 1939

Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	0

Absent and not voting: Thatcher Wog

So the bill passed and the title was agreed to.

The President called Senator Thatcher to the Chair. Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in	the affirmative were:	
Aandahl	Lavik	Skarvold
Beaton	Lemke	Streibel
Brant	Lian	Stucke
Braun	Morgan	Thatcher
Drew	Morrison	Thorson
Greiser	Nelson, McKenzie	Topp
Holl	Olson, McHenry	Trout
Isaak	Olson, Mountrail	Tweten
Kamrath	Owings	Wog

Those voting in	the negative were:	
Aasen	Fredrickson	Magoffin
Bilden	Gilbertson	Nelson, Grand Fks.
Blaisdell	Gronvold	Raschko
Bridston	Guenther	Troxel
Dahl	Guthrie	Watt
Flatt	Hill	Whelan
Fowler	Leum	Young

Absent and not voting: Blank

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bridston: Mr. Presiding Officer, I want to explain my vote. I am voting "No" on this bill, but I believe the oath could be changed.

Senator Bilden: Mr. Presiding Officer, I want to explain my vote. I am voting "No" on this bill but I think the same as Senator Bridston.

Senator Morgan moved that Senate Bill No. 198 be re-

ferred back to the Committee on Education for further consideration, which motion prevailed.

The President resumed the Chair.

Senator Aandahl moved the following amendment to Senate Bill No. 237: On page 12, line 249, after the word "each" insert the words "thus enrolled," which motion prevailed.

Senator Aandahl moved that the rules be suspended and that Senate Bill No. 237 be considered properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the	affirmative were:		
Aandahl	Guenther	Olson, Mountrail	
Aasen	Guthrie	Owings	
Beaton	Hill	Raschko	
Bilden	Holl	Skarvold	
Blank	Isaak	Stucke	
Blaisdell	Kamrath	Thatcher	
Brant	Lavik	Thorson	
Braun	Lemke	Topp	
Dahl	Leum	Trout	
Drew	Lian	Troxel	
Flatt	Magoffin	Tweten	
Fowler	Morgan	Watt	
Fredrickson	Morrison	Whelan	
Gilbertson	Nelson, Grand Fks.	Wog	
Greiser	Nelson, McKenzie	Young	
Gronvold	Olson, McHenry		

Those voting in the negative were: Streibel

Absent and not voting: Bridston

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 15, 1939. Mr. Speaker: I have the honor to transmit:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Mr. Speaker: I have the honor to return:

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Which the Senate has passed unchanged.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32. A Bill for an Act to Amend Section 396a8 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 315 of the Session Laws for 1931, Relating to Premiums Due and Workmen's Compensation Bureau.

Which the Senate has passed and your favorable consideration is requested.

Mr. Speaker: I have the honor to return:

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended as follows:

On page 2, line 13, strike out the word and figure "May 20th" and insert in lieu thereof the word and figure "March 1st."

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Which the Senate has amended as follows:

In line 12, strike out the words "any measure" and in line 13, strike out the period after the word "petition" and add the following: "any measure introduced in or amended and rejected by the Legislative Assembly in the regular or special session next preceding such election."

That the same be further amended by striking out the word "thirty" in lines 11 and 17 and inserting in lieu thereof the word "fifteen."

That the same be further amended by adding a new paragraph between lines 35 and 36 to read as follows: "All initiated measures providing for the expenditure of public funds shall prescribe in such act when initiated a special levy or tax and the method by which such funds shall be raised to carry into effect the purpose of the measure so initiated."

That the same be further amended by inserting a new paragraph between lines 64 and 65 to read as follows: "If more than one measure, initiated or referred, is to be placed upon the ballot, the Secretary of State shall place all measures proposing amendments to the Constitution in one group and other measures in another group and shall number all measures consecutively."

Re-number lines accordingly.

House Bill No. 152. A Bill for an Act Amending and Reenacting Section 4446 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 151 of the Session Laws of 1923 Relating to the Adoption of Minor Children.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

Senator Whelan moved that Senate Bill No. 180 be placed at the foot of the Calendar for further study, which motion prevailed.

Senator Whelan moved that Senate Bill No. 191 be placed at the head of the Calendar, which motion prevailed.

Senator Guthrie moved that Senate Bill No. 191 be amended as follows:

In line 22, strike out the words "simple interest" and insert in lieu thereof "compound interest at 4% annually," and strike out everything in the parenthesis in lines 23 and 24, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that Senate Bill No. 191 be considered properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 1506 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1506 of the 1925 Supplement to the Compiled Laws of 1913, and to Amend and Re-enact Section 1517 of the Compiled Laws of 1913, as Amended and Re-enacted by Section 1517 of the 1925 Supplement to the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in	the affirmative were:	
Aasen	Lemke	Stucke
Dahl	Lian	Thorson
Drew	Magoffin	Topp
Flatt	Morgan	Trout
Gronvold	Nelson, Grand Fks.	
Hill	Olson, McHenry	Watt
Holl	Owings	Whelan
Kamrath	Skarvold	Wog
Lavik	Streibel	
Those voting in	the negative were:	
Aandahl	Fowler	Morrison
Beaton	Fredrickson	Nelson, McKenzie
Bilden	Greiser	Olson, Mountrail
Blank	Guenther	Raschko
Blaisdell	Guthrie	Thatcher
Brant	Isaak	Troxel
Bridston	Leum	Young
Braun		

Absent and not voting:

Gilbertson

So the bill passed and the title was agreed to.

Senator Morrison moved that the vote by which Senate Bill No. 191 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston: Mr. President: I wish to explain my vote. In view of the introduction and assured passage of Senate Bill No. 190, creating a Board of Trustees and Actuaries to investigate this fund, I vote "no."

Senator Olson from Mountrail: Mr. President: I wish to explain my vote. I don't believe in compound interest, therefore I vote "no."

Senator Watt moved that the Senate be on the Twelfth Order of Business, and that on the completion of the First Reading of House Bills, and the Signing of Bills, the Senate recess until 1:00 P. M., Thursday, February 16th, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 198. A Bill for an Act Imposing a Tax Upon Theatre and Entertainment Tickets to be Applied to the Old Age Assistance Fund; to Provide for the Collection of Such Tax; Requiring Reports; Naming Exemptions; Establishing a Lien for the Payment of Such Tax; Fixing Fines and Penalties for Violations; Repealing Laws in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

Was read the first time and referred to the Committee on Federal Relations.

House Bill No. 113. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Boards Administering Poor Relief to Give Equal Consideration to Legally Licensed Practitioners of Medicine, Osteopathy, Chiropractic, Dentistry, Optometry, and Any Other Legally Licensed Practitioner, 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 State Affairs.

House Bill No. 128. A Bill for an Act to Amend and Reenact 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; Relating to Relief for the Poor; Describing the Establishment of a County Relief Board by the Board of County Commissioners, Constituting the County Commissioners in the Respective Counties to Replace the County Welfare Board; 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 Public Welfare.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

And the President signed the same in the presence of the Senate.

The Senate recessed until 1:00 P. M., Thursday, February 16th.

WM. J. LOWE, Secretary.

FORTY-FOURTH DAY AFTER RECESS AND FORTY-FIFTH DAY

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Bismarck, February 16, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 15th, with the President presiding.

The President announced that the Senate would be on the Fifth Order of Business for the reading of a Report from the Committee on Delayed Bills.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Senate Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Introduced by Senator Braun.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed, and the report was adopted.

FIRST READING OF SENATE BILLS

Senator Braun introduced:

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Was read the first time and referred to the Committee on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 16, 1939.

Mr. Speaker: I have the honor to return: House Bill No. 148. A Bill for an Act to Amend and Reenact Section 1024a1 of the Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Which the President has signed.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 192. A Bill for an Act to Amend and Reenact Section 1519 of the Compiled Laws of 1913, pertaining to the Teachers' Insurance and Retirement Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 40; absent and not voting, 4; passed, 1.

Those voting in th Owings Raschko	e affirmative were: Thorson	Tweten
Those voting in th Aandahl Aasen Bilden Blank Blaisdell Brant Bridston Braun Dahl Drew Flatt Fowler Gilbertson Greiser	e negative were: Gronvold Guenther Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan	Morrison Nelson, Grand Fks. Nelson, McKenzie Olson, McHenry Olson, Mountrail Skarvold Streibel Stucke Thatcher Trout Troxel Whelan Young
Absent and not vo Beaton Fredrickson	ting: Topp	Watt

Passed: Wog

So the bill was declared lost.

Senator Wog requested that he be excused from voting.

Senator Aasen moved that Senator Wog be excused from voting, which motion prevailed.

Senator Blaisdell announced that the calendar should read "House Bill No. 243" instead of "Senate Bill No. 243."

Senator Blaisdell moved that House Bill No. 243 be placed at the foot of the calendar, which motion prevailed.

Senator Aandahl moved the following amendment to Senate Bill No. 183: In line 2, strike out the words "at an election" and all of line 3; in line 4, strike out the words "this act" and the comma, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that Senate Bill No. 183 be considered properly engrossed and placed on second reading and final passage as amended, which motion prevailed.

Senate Bill No. 183. 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 R-pealing Acts or Parts of Acts in Conflict Herewith.

Was read the second tim-

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

711			11	P.P	
Those	voting	ın	the	affirmative were:	

Aandahl	Fowler	Owings
Beaton	Fredrickson	Raschko
Bilden	Gilbertson	Streibel
Blank	Guenther	Thatcher
Blaisdell	Guthrie	Topp
Brant	Kamrath	Whelan
Bridston	Magoffin	Wog
Drew	Morgan	Young
Flatt	Nelson, Grand Fks.	

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in	the negative were:	
Aasen	Lavik	Skarvold
Braun	Lemke	Stucke
Dahl	Leum	Thorson
Greiser	Lian	Trout
Gronvold	Morrison	Troxel
Hill	Nelson, McKenzie	Tweten
Holl	Olson, McHenry	Watt
Isaak	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 183 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 Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

Was read the second time.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Bridston	Lavik	Stucke
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser Gronvold	Nelson, McKenzie	Young

Those voting in the negative were:

Thatcher Thorson

Absent and not voting: Brant

So the bill passed and the title was agreed to.

The President called Senator Watt to the Chair. Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

I HOSE VOULING IN	the all matrice were.	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Braun	Lemke	Thatcher
Dahl	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young
Guthrie		

Absent and not voting:

Blaisdell Brant Bridston

So the bill passed and the title was agreed to.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 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, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative we	re:
Aandahl	Guenther	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel

Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Absent and not voting:

Blaisdell Guthrie

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Whelan requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Whelan moved that Senate Bill No. 180 be placed

at the head of the calendar, which motion prevailed. Senate Bill No. 180. A Bill for an Act to Repeal Sections 1326a1, 1326a2, 1326a3, 1326a4 and 1326a5 of the Supple-ment to the 1913 Compiled Laws of North Dakota, Relatmg to a Petition by Electors to Increase Debt Limit of 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, 47; nays, 1; absent and not voting, 1.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser	Olson, Mountrail	
Those voting in t	he negative were:	
Isaak		

Absent and not voting: Guthrie

So the bill passed and the title was agreed to.

Senator Trout moved that Senate Bill No. 181 be amended as follows: Add the Emergency Clause and the Repealing Clause to the title, which motion prevailed.

Senator Thatcher moved that Senate Bill No. 181 be considered properly engrossed and placed on second reading and final passage as amended, which motion prevailed.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, 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, 48; nays, 0; absent and not voting, 1.

Those voting in the	e affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog

Absent and not voting:

Young

So the bill passed and the title was agreed to.

Senator Flatt moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-FIFTH DAY

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. G. W. Stewart. Roll Call: All Senators present.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third Day after recess and Forty-fourth Day and recommends that the same be corrected as follows:

On page 411, line 47, change the figures "264" to "267."

On page 419, line 25, change the first word "Senate" to "House."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Communications were received by the President as follows: (a) From the Beach Lions Club; (b) From E. A. Anderson of Steele and (c) From the Williston Lions Club and (d) various organizations of Michigan City, all urging a program to provide ways and means for North Dakota to match Federal Funds for highway development, which were referred to the Committee on Highways.

Senator Fowler requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Fowler moved that a letter received from Governor Moses on February 15, 1939, in regard to a report of the Committee on Appraisal of Relief, be printed in the Journal, which motion prevailed.

COMMUNICATION FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR

Bismarck, February 15, 1939.

To the President To the Members of the Senate Twenty-sixth Legislative Session Bismarck, North Dakota

Gentlemen:

I respectfully submit to you herewith a copy of the report recently compiled by the Committee on Appraisal of Relief, Mr. J. N. Urness of Williston, Pauline N. Reynolds of Fargo, Mr. J. R. Fitzsimmons of Mandan, Mr. Glenn Talbott of Jamestown, Mr. M. M. Oppegard of Grand Forks, Mr. John McGuire of Fargo and Mr. Myron Atkinson of Bismarck. As you will note, there is attached to this report several tables of figures supporting the conclusions of the committee.

While you gentlemen, as representatives of your respective districts, have knowledge of the problems within your counties and surrounding counties, I do not feel that the people of the State in general fully realize the gravity and the seriousness of the situation which confronts us. What has happened is clear enough: A series of disastrous crop years, coupled with low prices for what the farmer produces, has cut the income of the State to a point where a large portion of our people are no longer self sustaining. Unless checked, these conditions are rapidly bringing more than half of our counties toward a state of bankruptcy, and the future of the State is precarious, to say the least.

I think it is of the utmost importance that there be a complete understanding, not only of the reasons for the conditions as they face us, but of the whole relief situation. The inclosed report is intended for public information. Necessarily, with the brief time that the Committee had to spend, the report is preliminary, and in fairness, it can not be anything but a preliminary report. It is a report compiled by what would be termed disinterested citizens, citizens who have no direct connection with the relief set-up nor with any relief agencies in the State, all of whom rendered this service to the State at considerable personal sacrifice and without compensation, and without expense to the State.

It is hoped that the report may serve as a starting point for a thorough appraisal of the relief situation of our State. May I suggest the advisability of the State of North Dakota, through the Members of the Legislature, making provision for a thorough survey and appraisal of the relief situation in North Dakota?

JOHN MOSES, Governor.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 16, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Senate Bill No. 236. A Bill for an Act to Amend and Reenact Section 3 of Chapter 255 of the Session Laws of 1937, Relating to the Creation of State Water Conservation Commission.

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Sections Six (6) and Seven (7), of Chapter 255, of the Session Laws of 1937, Relating to the State Water Conservation Commission.

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 1506 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1506 of the 1925 Supplement to the Compiled Laws of 1913, and to Amend and Re-enact Section 1517 of the Compiled Laws of 1913, as Amended and Re-enacted by Section 1517 of the 1925 Supplement to the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the

United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 8; Senate Bill No. 114; Senate Bill No. 202; Senate Bill No. 208; Senate Bill No. 212; Senate Bill No. 226; Senate Bill No. 241; Senate Bill No. 237; Senate Bill No. 191; and Senate Bill No. 159.

And find the same correctly engrossed. W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 228, have had the same under consideration and recommend that the same be amended as follows:

In lines 2 and 3 of the title, strike out the word "county" and insert in lieu thereof the words "and Barnes Counties."

In line 3 of the title strike out the word "a."

In line 4 of the title strike out the word "park" and insert in lieu thereof the word "parks."

In line 2, section 1, insert "(a)" before the word "the," and between lines 20 and 21, insert a new sub-section to read as follows:

(B) the Board of University and School Lands is hereby authorized and directed to transfer and convey to Barnes County, North Dakota, for public park purposes the South Half of the Southwest Quarter $(S\frac{1}{2} \text{ of } SW\frac{1}{4})$ of Section Thirty-six (36), Township One Hundred Thirty-seven (137) North, Range Fifty-eight (58), West of the Fifth Principal Meridian, located in Barnes County, North Dakota Containing eighty (80) acres, more or less, according to the United States Government survey thereof in exchange for the Northwest Quarter (NW¹/₄ of Section Four (4), Township One Hundred Forty-two (142), Range Sixty (60), West of the Fifth Principal Meridian located in Barnes County, North Dakota, containing One Hundred Sixty (160) acres, more or less, according to the United States Government Survey thereof which said land the Board of County Commissioners of Barnes County is hereby authorized and directed to transfer and convey to the Board of University and School Lands.

And when so amended recommend the same do pass. T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 258, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the original bill after the word "hereafter," change the word "acquired" to read "acquires" so that the line will read, "heretofore acquired or hereafter acquires title to any tracts."

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Whelan moved that the report be adopted, and that the amendment be printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 223, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 160, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 251, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom

was referred Senate Bill No. 199, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 246, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

As amended on page 330 of the Senate Journal.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act to Create a State Board of Plumbing for the Regulation of Plumbing in Cities and Villages; for the Licensing and Registration of Plumbers; for the Supervision and Inspection of Plumbing and the Adoption and Enforcement of Minimum Standards of Plumbing.

Introduced by Senators Drew, Stucke and Bridston.

Have had the same under consideration and recommend that the same be approved for introduction, and referred to a committee without printing the Bill unless it receives favorable consideration by the committee to whom it is referred. And,

A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, as Amended by Chapter 283 of the Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduced by Senator Wog.

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Have had the same under consideration and recommend that the same be approved for introduction, and referred to a committee without printing the Bill unless it receives favorable consideration by the committee to whom it is referred. And,

A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of North Dakota for 1925 Relating to Fuel for State, County and School District Organizations.

Introduced by Committee on Delayed Bills.

Have had the same under consideration and recommend that the same be approved for introduction, and referred to a committee without printing the bill unless it receives favorable consideration by the committee to whom it is referred.

H. C. Guenther, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 16, 1939

Mr. President: I have the honor to transmit:

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 Workmen's Compensation Bureau.

House Bill No. 144. A Bill for an Act Providing for the Conduct of Elections on all Municipal Bond Issues; Providing a Separate Ballot Box for the Ballots of Voters Owning Real Property and a Separate Ballot Box for the Ballots of Other Voters; and Requiring a Two-thirds Vote of Both Such Real Property Owners and Such Other Voters, for all Municipal Bond Issues; Repealing all Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Drew, Stucke, and Bridston introduced: Senate Bill No. 272. A Bill for an Act to Create a State Board of Plumbing for the Regulation of Plumbing in Cities and Villages; for the Licensing and Registration of Plumbers; for the Supervision and Inspection of Plumbing and the Adoption and Enforcement of Minimum Standards of Plumbing.

Was read the first time and referred to the Committee on Ways and Means.

Senator Wog introduced:

Senate Bill No. 273. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 247 of the Session Laws of 1933, as Amended by Chapter 283 of the Session Laws of 1935; 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.

The Committee on Delayed Bills introduced:

Senate Bill No. 274. A Bill for an Act to Amend and Reenact Section 1828 of the Compiled Laws of North Dakota for 1925 Relating to Fuel for State, County and School District Organizations.

Was read the first time and referred to the Committee on Education.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that Senate Bills Nos. 272, 273 and 274 be referred to the proper committees and not be printed until favorable action has been taken by the various committees, which motion prevailed.

Senator Guthrie moved that Senate Bill No. 213 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees 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, 40; nays, 3; absent and not voting, 6.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Isaak	Owings
Blank	Kamrath	Raschko
Blaisdell	Lavik	Skarvold
Bridston	Lemke	Streibel
Braun	Leum	Stucke
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Gronvold		

Those voting in the negative were: Thorson Topp

Tweten

Absent and no	t voting:	
Bilden	Greiser	Holl
Brant	Hill	Thatcher
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So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings

Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting:

Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Was 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, 2; absent and not voting, 0.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler'	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	

Those voting in the negative were: Holl Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the By-Laws of 1913, Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 49; nays, 0; absent and not voting, 0.

affirmative were:	
Guenther	Olson, Mountrail
Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Thorson
Leum	Topp
Lian	Trout
Magoffin	Troxel
Morgan	Tweten
Morrison	Watt
Nelson, Grand Fks.	Whelan
Nelson, McKenzie	Wog
Olson, McHenry	Young
	Guenther Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

So the bill passed and the title was agreed to.

Senator Watt moved that Senate Bill No. 250 be amended as follows:

In line 10, strike out the word "ten" and insert in lieu thereof the word, "five," which motion prevailed. Senator Watt moved that the rules be suspended and Senate Bill No. 250 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Section 2565 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 109, of the Ses-sion Laws of 1929, Relating to Salaries and Fees of Members of Board of Commissioners of Insanity, by Whom Paid, 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, 2; absent and not voting, 0.

Those noting in the affirmative were:

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hili	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Thorson
Bridston	Lavik	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	
	COMPANY AND A COMPANY AND A COMPANY AND A COMPANY	

Those voting in the negative were: Thatcher

Stucke

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Thatcher moved that Senate Bill No. 233 be amended as follows:

In line 7, change the word "thirty" to "ninety," which motion prevailed.

Senator Thatcher moved that the rules be suspended and Senate Bill No. 233 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 233. A Bill for an Act Providing for a Lien in Favor of House-Movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

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, 1; absent and not voting, 0.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Those voting in the negative were: Kamrath

So the bill passed and the title was agreed to.

Senate Bill No. 152. A Bill for an Act to Amend and Reenact Section 8100 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 155 of the Session Laws of North Dakota for 1933, Relating to the Foreclosure of Real Estate Mortgages; What the Judgment and Decree of Foreclosure Shall Contain; Providing for the Issuance of Execution on Certain Deficiency Judgments; 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, 24; nays, 25; absent and not voting, 0.

Those voting in	n the affirmative were	e:
Aandahl	Drew	Leum
Aasen	Fowler	Lian
Beaton	Fredrickson	Magoffin
Bilden	Gilbertson	Morgan
Blank	Gronvold	Nelson, Grand Fks.
Blaisdell	Guenther	Raschko
Brant	Guthrie	Watt
Bridston	Lavik	Wog

Those voting i	n the negative were:	
Braun	Morrison	Thatcher
Dahl	Nelson, McKenzie	Thorson
Flatt	Olson, McHenry	Topp
Greiser	Olson, Mountrail	Trout
Hill	Owings	Troxel
Holl	Skarvold	Tweten
Isaak ·	Streibel	Whelan
Kamrath	Stucke	Young
Lemke		U

So the bill was declared lost.

Senator Skarvold moved that the vote by which Senate Bill No. 152 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 114. A Bill for an Act Providing for the Issue of Stock Without Par Value With Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 20; nays, 27; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Drew	Guthrie
Beaton	Flatt	Kamrath
Bilden	Fowler	Magoffin
Blank	Fredrickson	Troxel
Blaisdell	Gilbertson	Whelan
Bridston	Greiser	Young
Braun	Guenther	

Those voting in the negative were:

Aasen	Lian	Skarvold
Dahl	Morgan	Streibel
Gronvold	Morrison	Stucke
Hill	Nelson, Grand Fks.	Thatcher
Holl	Nelson, McKenzie	Thorson
Isaak	Olson, McHenry	Topp
Lavik	Olson, Mountrail	Trout
Lemke	Owings	Watt
Leum	Raschko	Wog

Absent and not voting: Brant Tweten

So the bill was declared lost.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that Senate Bill No. 202 be placed at the head of the calendar, which motion prevailed.

Senator Blaisdell moved that further consideration of Senate Bill No. 202 be indefinitely postponed, which motion prevailed.

Senator Blaisdell 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.

Senator Lian moved that the Senate be on the Twelfth Order of Business for the First Reading of House Bills and that at the conclusion of the Twelfth Order, the Senate recess for ten minutes which motion prevailed.

FIRST READING OF HOUSE 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 Workmen's Compensation Bureau.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 144. A Bill for an Act Providing for the Conduct of Elections on all Municipal Bond Issues; Providing a Separate Ballot Box for the Ballots of Voters Owning Real Property and a Separate Ballot Box for the Ballots of Other Voters; and Requiring a Two-thirds Vote of Both Such Real Property Owners and Such Other Voters, for all Municipal Bond Issues; 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 Elections.

The Senate re-convened at the expiration of the ten minute recess.

The President announced that the Senate would be on the Fifth Order of Business, for the reading of the reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

In line 34, begin a new paragraph with the word "The." In line 46 strike out the word "its" and insert in lieu thereof the word "his."

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A minority of your Committee on State Affairs to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title after the word "Keeping" strike out the word "of" and insert in lieu thereof the words "a copy of." Also in the last line of the title following the word "Dakota" strike out the comma and insert a period and strike out the balance of the line.

In Section 1, line 3, strike out the words "and maintain."

In Section 1 at the end of line 4 after the comma insert the words "a copy of."

In Section 1, line 9, following the word "thereof" insert a comma instead of the period and add the following language "except such properties that are now assessed by the State Board of Equalization."

In Section 2, line 3, after the word "than" strike out the balance of the section and insert in lieu thereof the following "One Hundred and no/100 Dollars, nor more than Two Hundred and no/100 Dollars."

Also strike out all of Section 3.

And when so amended recommend the same do pass.

R. A. OWINGS AXEL OLSON ANDREW SKARVOLD J. B. BRIDSTON C. C. MORRISON

Mr. President: A majority of your Committee on State Affairs to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER T. E. WHELAN BEN GILBERTSON ROBERT GREISER H. C. GUENTHER G. F. DREW N. N. NELSON R. R. MORGAN GUST WOG A. N. LAVIK WM. WATT

Senator Morrison moved that action on the reports of the majority and minority of the Committee on State Affairs on Senate Bill No. 38 be laid over one legislative day, which motion prevailed.

Mr. President: A minority of your Committee on State Affairs to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same be indefinitely postponed.

> A. W. FOWLER T. E. WHELAN ROBERT GREISER R. A. OWINGS G. F. DREW A. N. LAVIK M. R. YOUNG

Mr. President: A majority of your Committee on State Affairs to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same do pass.

C. C. MORRISON BEN GILBERTSON AXEL OLSON H. C. GUENTHER N. N. NELSON R. R. MORGAN ANDREW SKARVOLD GUST WOG J. B. BRIDSTON

Senator Young moved that the Report of the Minority of the Committee on State Affairs on Senate Bill No. 179 be adopted.

Senator Bridston made a substitute motion that the word "majority" be substituted for the word "minority."

Senator Whelan demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Bridston that the report of the majority of the Committee on State Affairs on Senate Bill No. 179 be adopted, there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the	e affirmative were:	
Beaton	Holl	Owings
Blank	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lian	Thatcher
Braun	Magoffin	Thorson
Dahl	Morgan	Topp
Flatt	Morrison	Trout
Fredrickson	Nelson, Grand Fks.	Tweten
Gilbertson	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	
Those voting in the	e negative were:	
Aandahl	Guthrie	Raschko
Aasen	Hill	Stucke
Bilden	Lavik	Troxel
Drew	Lemke	Watt

ko Lemke Fowler Leum Whelan Olson, Mountrail Greiser Young Gronvold

Absent and not voting:

Blaisdell

So the report of the majority of the Committee on State Affairs on Senate Bill No. 179 was declared adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 16, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency. Which the Speaker has signed and your signature is

respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 256. A Bill for an Act to Amend and Re-enact Sub-division (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143, of the Session Laws of North Dakota for 1933, Relating to the Distribution of State Bar Funds to the Bar Association 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, 47; nays, 0; absent and not voting, 2.

Those voting	in the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew		Troxel
Fowler	0	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
		Wog
		Young
Guenther	Olson, Mountrail	
	Aandahl Aasen Beaton Bilden Blank Brant Bridston Braun Dahl Drew Fowler Fredrickson Gilbertson Greiser Gronvold	AasenHillBeatonHollBildenIsaakBlankKamrathBrantLavikBridstonLemkeBraunLeumDahlLianDrewMagoffinFowlerMorganFredricksonMorrisonGilbertsonNelson, Grand Fks.GreiserNelson, McKenzieGronvoldOlson, McHenry

Absent and not voting: Blaisdell Flatt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Whelan requested that the Senate be on the 15th Order of Business for the purpose of signing House Bills, which request was granted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

A Bill for an Act Authorizing the House Bill No. 142. State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 16, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

The President announced that the Senate would return to the 11th Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays 0; absent and not voting, 2.

Those voting in the affirmative were:

Olson, Mountrail Owings Raschko
Raschko
C1 11
Skarvold
Streibel
Stucke
Thatcher
Thorson
Topp
Trout
Troxel
Tweten
Watt
Wog
Young

Absent and not voting:

Blaisdell

Whelan So the bill passed and the title was agreed to.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel .
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Whelan Blaisdell

So the bill passed and the title was agreed to.

Senator Owings moved that Senate Bill No. 125 be amended as follows:

That Section 8 of the bill be stricken out.

Senator Young made a substitute motion that Senate Bill No. 125 be amended as follows: In the title, after the word "therefor" strike out the period and insert a comma and the words "and declaring an emergency," and after the word and figure "Section 8" on page seven, strike out the rest of the paragraph and insert in lieu thereof the words "This Act is hereby declared to be an emergency and shall become effective from and after its passage and approval." Which motion carried.

Senator Young moved that the rules be suspended and that Senate Bill No. 125 be considered properly engrossed and placed on second reading and final passage, as amended, which motion carried.

Senate Bill No. 125. A Bill for an Act Defining and Pro-hibiting Unfair Sales, Providing Remedies for Violation Thereof, and Establishing Penalties 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, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Isaak	Stucke
Lavik	Thatcher
Lemke	Topp
Leum	Trout
Lian	Troxel
Magoffin	Whelan
Morgan	Wog
Morrison	Young
	Guthrie Hill Holl Isaak Lavik Lemke Leum Lian Magoffin Morgan

Those voting in the negative were:

Aandahl	Kamrath	Streibel
Beaton	Nelson, Grand Fks.	Thorson
Drew	Nelson, McKenzie	Tweten
Gilbertson	Olson, McHenry	Watt
Gronvold	Olson, Mountrail	

Absent and not voting: Flatt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which Senate Bill No. 125 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fredrickson moved that further consideration of Senate Bill No. 227 be indefinitely postponed.

Senator Raschko moved the following amendments to Senate Bill No. 227: In line 2 of the title and line 2 of the bill, strike out the word "and," after the word "corporations"; and the word "charitable."

Senator Morrison made a substitute motion that Senate Bill No. 227 be re-referred to a committee other than the Committee on Corporations, which motion prevailed.

The President announced that Senate Bill No. 227 would be re-referred to the Committee on Judiciary.

Senator Watt moved that the Senate do now recess until 1:00 P. M., February 17th, which motion prevailed.

And the Senate stood recessed.

WM. J. LOWE, Secretary.

FORTY-FIFTH DAY AFTER RECESS AND FORTY-SIXTH DAY

Bismarck, February 17, 1939.

The Senate re-convened at 1:00 p. m., pursuant to recess taken February 16, with the President presiding.

The President announced that the Senate would be on the Eighth Order of Business.

Senator Fredrickson moved that Senate Bill No. 109 be re-referred to the Committee on Banks and Banking for further amendments, which motion prevailed.

Senator Guthrie moved the following amendment to Senate Bill No. 226, as follows: In line 15, after the word "paying" in line 14, insert the word "crop insurance premiums," which motion prevailed.

Senator Guthrie moved that the rules be suspended and that Senate Bill No. 226 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senator Olson of Mountrail moved that his name be withdrawn from Senate Bill No. 226, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of 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, 37; nays, 8; absent and not voting, 4.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold

Blaisdell	Holl	Streibel
Brant	Isaak	Thorson
Bridston	Kamrath	Topp
Braun	Lavik	Trout
Dahl	Leum	Tweten
Drew	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Wog
Greiser	Morrison	Young
Gronvold	10100000	•

Those voting in the negative were:

Blank		Olson, McHenry	Thatcher
Lemke		Olson, Mountrail	Troxel
Nelson,	McKenzie	Stucke	

Absent and not voting:

Bilden Gilbertson Flatt

Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 246 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 246 was read the second time.

Senator Stucke moved that further action on Senate Bill No. 246 be laid over one legislative day, which motion prevailed.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan

Greiser	Nelson,	McKenzie	Wog
Gronvold	Olson,	McHenry	Young

Absent and not voting:

Flatt Nelson, Grand Fks. Stucke Gilbertson

So the bill passed and the title was agreed to.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting:

AandahlGilbertsonTroutFlattNelson, Grand Fks.So the bill passed and the title was agreed to.

The President announced that the Senate would be on the

Fifth Order of Business for the reading of the reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 260, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 257, have had the same under consideration and recommend that the same do pass and be referred to the Committee on Appropriations. Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

The President announced that Senate Bill No. 257 will be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 271, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 4 strike out the word "automobile" and the comma following. Also in line 5 strike out "or any machine of conveyance." Also in line 10 strike out "automobile" and the comma following.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 178, have had the same under consideration and recommend that the same do pass. M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which

motion prevailed and the report was adopted.

Mr. President: Your Committee on Delayed Bills to whom was referred A Bill for an Act, Prohibiting the Use of Motor Vehicles Owned by the State, or any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Introduced by Senator Watt.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 204, have had the same under consideration and recommend that the same be indefinitely postponed.

N. N. NELSON, Chairman.

Senator Nelson (Grand Forks) moved that the report be adopted, which motion prevailed and the report was adpoted. Senator Blaisdell moved that the vote by which the report of the Committee on Temperance on Senate Bill No. 204 was adopted be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

WM. J. LOWE, Secretary.

FORTY-SIXTH DAY

The Senate convened at 2:00 P. M. with the President presiding.

Prayer by the Chaplain, Rev. G. W. Stewart.

Roll Call: All Senators present except Senator Gilbertson.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fourth day after recess and the Forty-fifth day and found the same correct.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The President announced that a communication had been received from Mr. M. W. Thatcher, General Manager of the Farmers Union Grain Terminal Association, St. Paul, Minnesota, acknowledging receipt of Senate Concurrent Resolution No. 67.

Also a communication from the Mayville Civic Club approving a bill raising the gasoline tax an additional cent per gallon for the purpose of matching Federal Funds, which was referred to the Committee on Taxes and Tax Laws.

Also a communication from 39 citizens of Oakes and Dickey County protesting any increase in sales tax, which was referred to the Committee on Taxes and Tax Laws.

Also a communication from a number of citizens of Crosby, North Dakota requesting that arrangements for financing the Old Age Pension be made, which was referred to the Committee on Public Welfare.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 49.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 181. Senate Bill No. 125. Senate Bill No. 258. Senate Bill No. 250. Senate Bill No. 233. Senate Bill No. 228 and,

Senate Bill No. 183.

And find the same correctly Engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 263, have had the same under consideration and recommend that the same be amended as follows:

In line 12, after the word "action," insert the following language, "Arising out of the subject matter of the Plaintiff's cause of action."

In line 24, after the first word "subject" insert the word "matter."

In line 27, after the word "action" insert the language "by defendant."

In line 29, after the word "hardship," strike out the period and insert the language "to defendant" and place a period after the word "defendant."

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 169, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 184, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 267, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

A majority of the Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 232, have had the same under consideration and recommend that the same be amended as follows: In line 3, strike out the figures "\$25,567.00" and insert in lieu thereof the figures "\$25,380.00."

And when so amended, recommend the same do pass.

FRED S. AANDAHL J. C. BLAISDELL W. J. BRAUN M. R. YOUNG H. C. GUENTHER R. M. STREIBEL M. J. RASCHKO E. C. STUCKE N. N. NELSON

HENRY LEUM.

A minority of the Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 232, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT E. H. BRANT WM. A. THATCHER HERMAN THORSON B. W. LEMKE OTTO TOPP F. T. GRONVOLD.

Senator Blaisdell moved that the report of the majority of the Committee on Appropriations on Senate Bill No. 232 be adopted.

Senator Watt made a substitute motion that the word "minority" be substituted for the word "majority."

Senator Watt demanded a roll call on the motion that the report of the minority of the Committee on Appropriations on Senate Bill No. 232 be adopted, which was granted.

ROLL CALL

So the roll was called and there were ayes, 15; nays, 32; absent and not voting, 2.

Those voting in the affirmative were:

Aasen	Isaak	Thorson
Brant	Lavik	Topp
Fredrickson	Lemke	Trout
Greiser	Owings	Watt
Gronvold	Thatcher	Wog

Those voting in the negative were:

Those voting in	the negative were.	
Aandahl	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Kamrath	Streibel
Bridston	Leum	Stucke
Braun	Lian	Troxel
Dahl	Magoffin	Tweten
Drew	Morgan	Whelan
Flatt	Morrison	Young
Fowler	Nelson, McKenzi	

Absent and not voting:

Gilbertson Nelson, Grand Fks.

The question being on the original motion of Senator Blaisdell that the report of the majority of the Committee on Appropriations on Senate Bill No. 232 be adopted, the report of the majority was declared adopted.

Mr. Morrison: Mr. President, I want to explain my vote. If there is anything crooked in this transaction, the crook should be prosecuted to the fullest extent of the law; but I think we are justified in voting "no" on this motion, therefore, I vote "no."

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 220, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 211, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 17, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 13. 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.

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

House Bill No. 312. A Bill for an Act to Amend and Reenact Section 2373 of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Appointment and Election of Officers Under the Provisions of the Military Code; Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

House Bill No. 328. A Bill for an Act to Amend and

Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Twenty-five Thousand (25,000) Inhabitants.

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

House Bill No. 160. 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.

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

Which the House has passed and your favorable consideration is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Morrison moved that the Report of the minority of the Committee on State Affairs on Senate Bill No. 38 as printed in the Journal on page 441 be adopted.

Senator Fowler made a substitute motion that the word majority be substituted for the word minority, which motion prevailed.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Watt introduced:

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Was read the first time and referred to the Committee on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 17, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Sub-division (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143, of the Session Laws of North Dakota for 1933, Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the By-Laws of 1913, Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Senate Bill No. 180. A Bill for an Act to Repeal Sections 1326a1, 1326a2, 1326a3, 1326a4 and 1326a5 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to a Petition by Electors to Increase Debt Limit of School Districts.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; and Declaring an Emergency.

Senate Bill No. 187. A Bill for an Act to Permit School

Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

Senate Bill No. 250. A Bill for an Act to Amend and Reenact Section 2565 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 109, of the Session Laws of 1929, Relating to Salaries and Fees of Members of Board of Commissioners of Insanity, by Whom Paid, and Declaring an Emergency.

Senate Bill No. 233. A Bill for an Act Providing for a Lien in Favor of House-Movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 183. 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 Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act Defining and Prohibiting Unfair Sales, Providing Remedies for Violation Thereof, and Establishing Penalties Therefor, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 177. A Bill for an Act to Repeal That Certain Initiated Law Entitled "An Act Prohibiting Corporation Farming and Relating to Corporations Acquiring and Holding Real Estate Not Necessary in the Operation of Their Business." Approved and Adopted by the Electors at the June 29, 1932 Primary Election, as Amended by Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, and as Further Amended by Chapter 111 of the Session Laws of North Dakota for the Year 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, 35; nays, 11; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Fredrickson	Morrison
Aasen	Greiser	Raschko
Beaton	Gronvold	Stucke
Bilden	Guenther	Thatcher

Blaisdell	Guthrie	Topp
Brant	Holl	Trout
Bridston	Isaak	Troxel
Braun	Kamrath	Watt
Dahl	Leum	Whelan
Drew	Lian	Wog
Flatt	Magoffin	Young
Fowler	Morgan	

Those v	oting in th	e negative were:	
Hill		Olson, McHenry	Streibel
Lavik		Olson, Mountrail	Thorson
Lemke		Owings	Tweten
Nelson,	McKenzie	Skarvold	

Absent and not voting:

Blank Gilbertson Nelson, Grand Fks. So the bill passed and the title was agreed to.

Senator Whelan 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.

Senator Morrison moved that Senate Bill No. 212 be reretarred to the Committee on State Affairs for further amendments, which motion prevailed.

Senator Blaisdell requested that the Senate be on 'i:e 8th Order of Business, which request was granted.

Senator Blaisdell moved that all House Bills be put at the foot of the calendar for February 17th, which motion prevailed.

Senator Bridston moved that Senate Bill No. 273 be rereferred to the Committee on State Affairs, which motion prevailed.

Senator Morrison moved that Senate Bill No. 208 be amended as follows:

In the title, line 8, strike out the word "from" and in line 9, strike out the words "without the State of North Dakota."

On page 2, line 5, strike out the language "by non-residents" and in line 14, strike out the word "of" at the end of the line; and in line 15 strike out the words "a non-resident or of non-residents" and the comma, which motion prevailed.

Senator Morrison moved that the rules be suspended and that Senate Bill No. 208 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 208. A Bill for an Act to Encourage the Investment of Monies in the State of North Dakota, and to Encourage the Development of Industries and Resources in the State of North Dakota, Providing for Exempting, for a Period of Five Years, All of the Property of New Business Places, Hereafter Entered Into in the State of North Dakota, Whether the Same Be by Corporations, Firms, or Individuals, Providing That the Same Shall Only Apply Where Twentyfive Thousand Dollars or More of Capital Is Invested in Such Industry or Business Place, Within the State of North Da-

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kota; 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, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

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Aasen	Gronvold	Raschko
Beaton	Guenther	Streibel
Bilden	Guthrie	Stucke
Blank	Kamrath	Thatcher
Blaisdell	Lian	Thorson
Bridston	Magoffin	Topp
Braun	Morgan	Whelan
Drew	Morrison	Wog
Fowler	Olson, McHenry	Young

Those voting in t	the negative were:	
Aandahl	Holl	Owings
Brant	Isaak	Skarvold
Dahl	Lavik	Trout
Flatt	Lemke	Troxel
Fredrickson	Leum	Tweten
Greiser	Nelson, McKenzie	Watt
Hill	Olson, Mountrail	

Absent and not voting:

Gilbertson Nelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared lost.

Senator Watt moved that Senate Bill No. 241 be amended as follows:

In line 9, strike out the figure "\$150.00" and insert in lieu thereof the figure "\$125.00," which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 241 be considered properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 241. A Bill for an Act to Provide for the Better Enforcement and Collection of Personal Property Taxes by Providing for the Appointment of a Special Tax Collector; Prescribing His Duties, Authority and Compensation; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher

Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Those voting in the negative were: Owings

Absent and not voting:

Nelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Gilbertson

Senator Lian moved that the Senate be on the Twelfth Order of Business and that at the completion of the Twelfth Order, the Senate recess for ten minutes, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 312. A Bill for an Act to Amend and Reenact Section 2373 of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Appointment and Election of Officers Under the Provisions of the Military Code; Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 13. 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.

House Bill No. 160. 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.

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Flatt

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Twenty-five Thousand (25,000) Inhabitants.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

The Senate re-convened at the expiration of the ten minute recess.

The President announced that the Senate would be on the Fifteenth Order of Business for the Signing of Bills.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 17, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

The President announced that the Senate would return to the Eleventh Order of Business for the Second Reading of Senate Bills.

Senator Holl moved that Senate Bill No. 228 be amended as follows: To include the name of Senator Fredrickson as one of the sponsors, which motion prevailed.

Senator Fredrickson moved further amendment to Senate Bill No. 228 as follows:

Strike out the period after the word "therefor" and insert a comma, and the words "and declaring an emergency," which motion prevailed.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 228 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams County, State of North Dakota, to Williams County to Be Used and Maintained as a Public Park and Authorizing the Exchange of the County Land 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 ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Owings
Raschko
Skarvold
Streibel
Stucke
Thatcher
Thorson
Topp
Trout
Troxel
Tweten
Watt
Whelan
Wog
Young

Absent and not voting: Bilden Gilbertson Nelson, Grand Fks. Fowler

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young
Guenther		

Absent and not voting:

Bilden

Nelson, Grand Fks.

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So the bill passed and the title was agreed to and the emergency clause was declared carried.

Gilbertson

Senate Bill No. 251. A Bill for an Act to Facilitate the Co-operation of This State With Other Units of Government and to Establish an Unpaid Commission for That Purpose, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2. x

Those voting in the affirmative were: Olson, McHenry Olson, Mountrail Aandahl Gronvold Aasen Guenther Beaton Guthrie Raschko Bilden Hill Skarvold Blank Holl Stucke Blaisdell Kamrath Thatcher Brant Lavik Thorson Bridston Lemke Topp Braun Leum Trout Dahl Lian Troxel Drew Magoffin Watt Flatt Whelan Morgan Wog Fowler Morrison

Those voting in the negative were: Isaak Streibel Owings

Tweten

Young

Absent and not voting:

Fredrickson

Greiser

Gilbertson Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Nelson, McKenzie

Senator Blaisdell moved that the action by which Senate Bill No. 246 was laid over for one legislative day be reconsidered, which motion prevailed.

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Those voting in th	e allimative were.	
Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, McKenzie	Wog

Greiser Gronvold

Olson, McHenry Olson, Mountrail

Absent and not voting:

Gilbertson Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senator Blaisdell 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. MESSAGE TO THE HOUSE

TO THE HOUSE

Senate Chamber, Bismarck, February 17, 1939.

Young

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 17, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 391. A Concurrent Resolution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 49 was delivered to the Governor for his approval at the hour of 5:05 P. M. o'clock, Feb. 17, 1939.

W. J. TROUT, Chairman.

Senator Watt moved that Senate Bill No. 150 be amended as follows:

After the word "with" strike out the comma and insert a period. Strike out the balance of the line and all the rest of the paragraph through line 220, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 150 be considered properly reengrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Para-

graph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young

Those voting in the negative were: Bilden Nelson, McKenzie

Absent and not voting:

Gilbertson Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Trout moved that action on Senate Bill No. 179 be laid over for two legislative days, which motion prevailed. Senator Blaisdell moved that the Senate take up Senate

Bill No. 178 at this time, which motion prevailed.

Senate Bill No. 178. A Bill for an Act Providing That the State Board of Finance and Administration Created and Established by Senate Bill Number 37 Now Pending Before This Legislative Assembly Shall be the Successor of The Board of Administration and Vesting in and Imposing Upon Said State Board of Finance and Administration All the Rights, Powers, Duties, Obligations and Prerogatives of Said Board of Administration, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Those voting in th	e affirmative were:	ALL ALL ALL ALL
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Blank	Guthrie	Raschko
Blaisdell	Hill	Skarvold
Brant	Holl	Stucke
Bridston	Lavik	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Lian	Watt
Flatt	Magoffin	Whelan
Fowler	Morgan	Wog
Fredrickson	Morrison	Young
Those voting in th		
Beaton	Nelson, McKenzie	Thatcher

Absent and not voting:

Greiser

Kamrath

Isaak

Bilden

Nelson, Grand Fks.

Thorson

Tweten

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Olson, McHenry

Streibel

Gilbertson

Senator Stucke: Mr. President, I want to explain my vote. I am just going to support this bill for the reason that it is a companion bill to Senate Bill No. 37, which has gone to the House and I am going to try to fix it so those boys over there can consider these two bills together, because they are companion measures. I want to reiterate that I am not entirely in accord but the fact remains that I am willing to go that way, so the House may go over the two bills, therefore I vote "aye."

Senator Olson from Mountrail: Mr. President, I want to explain my vote. I am against this bill but we had Senate Bill No. 37 given us whether we wanted it or not, so we might as well swallow this one. I vote "aye."

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 211 be taken up at this time, which motion prevailed.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Aandahl Guthrie Olson, Mountrail

Aasen	Hill	Owings
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Young
Guenther		
Absent and not	voting:	
Bilden	Gilbertson	Raschko

Fredrickson Nelson, Grand Fks. Wog So the bill passed and the title was agreed to.

Senator Blaisdell moved that the Senate recess until 1:30 P. M., Saturday, February 18th, which motion prevailed. And the Senate stood recessed.

WM. J. LOWE, Secretary.

I

FORTY-SIXTH DAY AFTER RECESS AND FORTY-SEVENTH DAY

Bismarck, February 18, 1939. The Senate re-convened at 1:30 P. M., pursuant to recess taken February 17, with the President presiding.

The President announced that the Senate would be on the Fifth Order of Business.

MESSAGE FROM THE HOUSE

House of Representatives,

February 18, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and or Said Board of Administration, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May be Commenced; Specifying the Proceedings May be Changed; and Declaring that an Emergency Exists.

House Bill No. 346. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State, County and Municipal Officers and Employees and Providing for Deduction of Salary and Pay.

Which the House has passed and your favorable consideration is requested.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Mr. President: I have the honor to inform you that the House has refused to concur on Senate amendment to:

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

> J. M. ANDERSON (Benson) L. MYERS

L. L. TWICHELL

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 214, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

I

Senator Fowler moved that the report be adopted.

Senator Brant made a substitute motion the following amendment be made to Senate Bill No. 214:

Strike out everything after the words "A Bill" and insert the following:

For an Act to Amend and Re-enact Section 2186 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 241 of Session Laws of North Dakota for 1929, and Chapter 279 of the Session Laws of North Dakota for 1931, Relating to Real Property Tax Liens, Repealing 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:

1 SECTION 1. AMENDMENT. That

2 Section 2186 of the Compiled Laws of North Dakota for 2a 1913,

3 as amended and re-enacted by Chapter 241 of the Session

4 Laws of North Dakota for 1929 and Chapter 279 of the 4a Session

5 Laws of North Dakota for 1931, be and the same is hereby 6 amended and re-enacted to read as follows:

7 Section 2186. Taxes upon real property are hereby

8 made a perpetual paramount lien thereupon against all

9 persons and bodies corporate, except the United States 9a and

10 the State of North Dakota, with the exceptions herein-10a after

11 provided:

12 (a) That all real estate whether acquired through

13 quit claim deed, mortgage foreclosure, or otherwise,

14 by the State Treasurer as Trustee of the State of North

15 Dakota under the provisions of Chapter 154 of the

16 Session Laws of North Dakota for the year 1919, and

17 Chapter 292 of the Session Laws of North Dakota for

17a the

year 1923 and acts amendatory thereof shall be subject
to all real estate taxes which have heretofore been or
which may hereafter be duly levied or assessed against

21 said real property and that all such tax liens shall

22 be prior and superior to any lien acquired by or

23 through any real estate mortgage regardless of the

24 date of its creation or the time of the recording of 25 such real estate mortgage.

26 SECTION 2. All taxes shall, as between vendor

27 and purchaser, become a lien upon real estate on and af-27a ter

28 the thirty-first day of December, in each year. Taxes on 29 personal property charged upon and spread against real

30 property shall be, and they are hereby declared to be a

31 lien upon such real property from and after the date 31a when

32 such personal property taxes are charged and spread 32a against

33 such real estate. The liens enumerated in this Section

34 shall include all costs, penalties, interest, charges and

35 expenses of and concerning such taxes which by the provi-

36 sions of law shall accrue, attach or be incurred. The lien

37 of personal property taxes charged against real estate

38 shall have priority over any and every judgment, mort-38a gage

39 or other lien or claim whatsoever placed of record subse-

40 quent to the date when such personal property taxes are 41 entered against such real property, except the lien for a

41 entered against such real property, except the lien for **a** 42 tax for a subsequent year which shall have priority over

42 tax for a subsequent year which shall have priority over 43 such personal property tax liens formerly charged and

44 spread.

45 SECTION 3. REPEAL. All acts and

46 parts of acts in conflict with the provisions hereof are 47 hereby repealed.

48 SECTION 4. EMERGENCY. An emergency

49 is hereby declared to exist and this act shall take effect 50 and be in force from and after its passage and approval.

And that the report of the Committee on Taxes and Tax Laws on Senate Bill No. 214, as amended be printed in the Journal and action laid over one legislative day, which motion prevailed.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that the vote by which Senate Bill No. 246 was passed be reconsidered and the motion to reconsider be laid on the table and that this action be shown in the permanent Journal immediately following passage of the bill, which motion prevailed.

Senator Flatt moved that Senate Bill No. 161 be withdrawn, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Concurrent Resolution No. 209, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted.

Senator Brant made a substitute motion that Senate Concurrent Resolution No. 209 be amended as follows:

In line 17, after the word "property" strike out the "comma" and insert a "period." Strike out the word "except" and insert the word "the".

In line 18, strike out the word "exclusive" and insert the words "with the exception however" and that action on the report of the Committee on Taxes and Tax Laws on Senate Concurrent Resolution No. 209, be laid over one day, which motion prevailed.

Senator Thatcher moved the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-SEVENTH DAY

The Senate convened at 2:00 P. M., Senator Guthrie presiding.

Prayer by the Chaplain, Rev. G. W. Stewart.

Roll Call: All Senators present except Bilden, Dahl and Nelson of Grand Forks.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fifth day after recess and the Forty-sixth day and recommends that the same be corrected as follows:

On page 469, 5th line from the bottom, change the figures "16" to "160."

And when so amended recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The President announced receipt of the following communications:

(a) From the North Dakota Retail Hardware Association in convention at Grand Forks commending the Senate for passing Senate Bill No. 26, the Use Tax Act.
(b) From Frank Anton of Van Hook pertaining to the

(b) From Frank Anton of Van Hook pertaining to the Old Age Pension Act which was referred to the Committee on Public Welfare.

(c) From Mrs. Alma Severson of Minot requesting legislation making it compulsory for all parents to see that their children are sent to Sunday School, which was referred to the Committee on Education.

(d) From the members of the Garrison Civic Club and City Council to the members of the Legislature of the 46th District regarding the matching of Federal funds to continue our present road program, which was referred to the Committee on Highways.

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, February 18, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 79. A Bill for an Act Providing for the Closing of the Hunting Season and Prohibiting all Hunting of Upland Game Birds Until the Opening of the Hunting Season in the Year 1942; Providing a Penalty for Violation of the Provisions Hereof.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

Senate Bill No. 251. A Bill for an Act to Facilitate the Co-operation of This State With Other Units of Government and to Establish an Unpaid Commission for That Purpose, and Declaring an Emergency.

Senate Bill No. 178. A Bill for an Act Providing That the State Board of Finance and Administration Created and Established by Senate Bill Number 37 Now Pending Before This Legislative Assembly Shall be the Successor of The Board of Administration and Vesting in and Imposing Upon Said State Board of Finance and Administration All the Rights, Powers, Duties, Obligations and Prerogatives of Said Board of Administration, and Declaring an Emergency.

Senate Bill No. 258. A Bill for an Act Providing Suspen-

sion of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Senate Bill No. 177. A Bill for an Act to Repeal That Certain Initiated Law Entitled "An Act Prohibiting Corporation Farming and Relating to Corporations Acquiring and Holding Real Estate Not Necessary in the Operation of Their Business." Approved and Adopted by the Electors at the June 29, 1932 Primary Election, as Amended by Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, and as Further Amended by Chapter 111 of the Session Laws of North Dakota for the Year 1935.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Senate Bill No. 241. A Bill for an Act to Provide for the Better Enforcement and Collection of Personal Property Taxes by Providing for the Appointment of a Special Tax Collector; Prescribing His Duties, Authority and Compensation; and Declaring an Emergency.

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams County, State of North Dakota, to Williams County to Be Used and Maintained as a Public Park and Authorizing the Exchange of the County Land Therefor, and Declaring an Emergency.

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act to Encourage the

Investment of Monies in the State of North Dakota, and to Encourage the Development of Industries and Resources in the State of North Dakota, Providing for Exempting, for a Period of Five Years, All of the Property of New Business Places, Hereafter Entered Into in the State of North Dakota, Whether the Same Be by Corporations, Firms, or Individuals, Providing That the Same Shall Only Apply Where Twentyfive Thousand Dollars or More of Capital Is Invested in Such Industry or Business Place, Within the State of North Dakota; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Paragraph I of Section 4 of Chapter 162, Session Laws of 1926, Session Laws of 1931; Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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.

Which the Senate has passed and your favorable consideration is requested.

Mr. Speaker: I have the honor to return:

House Bill No. 204. A Bill for an Act to Provide for Better Control and Regulation of the Sale of Alcohol, Alcoholic Beverages and Intoxicating Liquors Within the State of North Dakota; to License the Importation Thereof; to Provide for the Issuance and Cancellation of Importers' Licenses and Set the Fees Therefor; Provide for the Disposition of Said Fees; to Provide Penalties and Declaring an Emergency.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 273, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 93;

Senate Bill No. 150; Senate Bill No. 208; Senate Bill No. 226; Senate Bill No. 228; Senate Bill No. 241; Senate Bill No. 232; and Senate Bill No. 263.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 41, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

For an Act declaring all tax charges based on original final values of property asessed by local asessors, in excess of amount that would have been charged had said original final value been limited to the full and true value in money, null and void providing remedy to the taxpayer; and repealing all laws or parts of laws in conflict therewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. TAXES BASED ON

2 VALUATIONS IN EXCESS OF FULL AND

3 TRUE VALUE VOID. Any and all taxes levied

4 and assessed against taxable property valued by local

5 assessors, to the extent that said tax charges exceed the 6 amount that said tax charge would have been had the

6a orig-

7 inal final determination of value been limited to the full

8 and true value thereof in money, shall be null and void.

9 SECTION 2. WHO MAY OBJECT.

10 CONSIDERATION OF APPLICATION.

11 Each individual property owner, and each person having 11a an

12 interest in taxable property valued by local assessors,

13 either individually, or jointly, or collectively, including

14 taxing districts as such, may bring such proceedings as

15 are herein provided for, or as may be provided for by law, 16 to determine and limit the tax obligations of such prop-

16a erty

17 as provided for in Section one hereof, and each such pro-18 ceedings shall be by the board, commission, commission-

18a ers,

19 or any person having jurisdiction thereof, and the courts,

20 decided, determined, and the valid tax determined as to 20a the

21 application thereof to the specific property or properties 22 involved in said proceeding or proceedings and without

22 involved in said proceeding or proceedings and without 23 reference to county necessities, or other municipal re-23a guire-

24 ments, and without reference to the valuation applied or

25 tax obligations charged against other properties.

26 SECTION 3. APPLICATION FOR

27 RELIEF FROM EXCESSIVE VALUATION.

28 Any person or persons referred to in Section two hereof

aggrieved by the acts of any assessor, township board of
review and equalization, board of County Commissioners
sitting as a Board of Equalization, Board of County

31a Commis-

32 sioners sitting as such, the County Auditor, or any other 33 officer having jurisdiction over valuation for the purpose

34 of taxation of taxable property valued by local assessors

35 may petition the Board of County Commissioners to 35a make its

36 order fixing the basic full and true value, in money, of 37 any such property, or properties as may be described or 38 referred to in the petition and to correct or modify any 39 other act or thing done, committed or permitted in con-39a nec-

40 tion with the taxation thereof and to re-determine any

41 tax charges against any such property to conform to the 42 amount that would ultimately result from a reduction of 42a the

43 valuation thereof to the full and true then value thereof. 44 Such petition shall contain such representations in 44a connec-

45 tion with said property, and with reference to the or-45a iginal

46 and basic full and true value thereof in money, as the 47 petitioner or petitioners may be advised, and in addition

48 to allegations of value as value may be now by law deter-49 mined, said petitioner or petitioners may allege and 49a prove,

50 by addifavit or otherwise, the full and true value of said 51 property, in money, by reference to the average cash 51a rental

52 value thereof, and such allegations and proof may be con-

53 sidered along with other evidence in determining the full

54 and true value in money. The Board of County Com-54a missioners

55 shall have jurisdiction to and it shall be their duty to hear 56 and determine said petition, and to make a finding of the 57 then full and true value of said property in money. If 57a said

58 petition requires the determination of the tax charges it 59 shall be the duty of the Board of County Commissioners 60 to determine the amount of said tax by the application 60a of and

61 applying thereto the consolidated levy applied in said 61a taxing

62 district, for each year in the petition referred to.

63 Upon the receipt by the county treasurer of the amount

64 of tax so determined as to any parcel of land or personal

65 property, the county treasurer shall issue a tax receipt 66 for each year for which payment is thus made and in its 66a order

67 the Board of County Commissioners shall provide that 67a upon payment

68 of the amount thus fixed and determined for each year 69 upon payment of the amount thus fixed for any year 69a the balance

70 of the tax charges for that year against such property

71 shall be abated.

72 SECTION 4. FAILURE TO APPEAR

73 AT BOARD OF EQUALIZATION DOES NOT

74 CAUSE LOSS OF REMEDY. The failure to appear

75 before any Board of Equalization or the failure on the

76 part of any person interested in any such property to 76a do or

77 perform any other act or thing shall not preclude such 77a owner

78 or person interested in said real estate from having the 79 full merit of his individual petition heard and determined.

full merit of his individual petition heard and determined.
 SECTION 5. APPEAL TO

81 DISTRICT COURT. In the event that the

82 petitioner or petitioners are dissatisfied with the

83 decision of the Board of County Commissioners, said

84 petitioner or petitioners may, at any time within thirty

85 days, after notice of the decision of the Board of County 86 Commissioners, appeal to the District Court of the

86a county 87 in which said property may be situated, in the manner

87a now 88 provided by law for appeals from decisions of the F

88 provided by law for appeals from decisions of the Board 88a of

89 County Commissioners. Upon appeal the district court 89a shall

90 try the issues de novo, and shall hear the testimony that

91 may be offered by the petitioner or petitioners and the 92 Board of County Commissioners touching upon the then

92a true and

93 full value, in money, of said property, including all 94 methods of determining value referred to in Section 3 94a hereof.

95 And the district court shall have full right, authority

96 and jurisdiction and it shall be the duty of such court to

97 fix and determine the proper and legal tax charges for 98 any year or years as may be involved in said petition,

98a from which

99 appeal was taken by the application of the procedure 100 as set out in said Section three hereof.

101 SECTION 6. APPEAL TO SUPREME

102 COURT.) Appeals from any judgment of the district 103 court shall be taken to the Supreme Court in the manner

103a now provided

104 by law, and the Supreme Court shall have jurisdiction

105 to hear and try the issues de novo in the Supreme Court 106 upon the records presented in the District Court, and 106a make

107 such orders in the premises as shall carry out the spirit 108 and purpose of the Act.

109 SECTION 7. CONSTRUCTION.)

110 This Act shall not be construed to repeal or in anywise 111 impair or amend the provisions, force, intent or effect of 112 Section 2122a of the 1925 Supplement to the Compiled 112a Laws of

113 North Dakota for 1913, as amended and re-enacted by the 114 initiated measure approved June 29, 1932, and set out on 115 page 493 of the Session Laws of 1933, and the matter of 116 application of valuation in this Act set out contemplates

117 the application of said initiated measure for the purpose

1

118 of determining taxable value.

119 SECTION 8. REPEAL.) That all laws or

120 parts of laws in conflict herewith are hereby repealed. And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 137, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 115, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the original bill after the comma, strike out the words "one-half of".

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: A majority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

(1) In the last line of the title strike out the period and insert a comma and add the following language: "making an appropriation and declaring an emergency."

(2) In line 10 strike out the figures "1940" and insert in lieu thereof the figures "1939."

(3) In lines 30 and 31 strike out the language, "at the general primary election to be held on the last Tuesday in June, 1940" and insert in lieu thereof the language "at a special election which shall be held on June 27th, 1939."

(4) In line 37 strike out the figures "1940" and insert in lieu thereof the figures "1939."

(5) In line 38 after the period, add a new sentence as follows: "If this Act is approved Senate Bill Number 123 pending in this Legislative Session shall stand repealed and be of no force and effect."

(6) Add a new Section 4, as follows:

"SEC. 4. There is hereby appropriated from the net revenue received and credited into said State Public Welfare Fund as provided in this Act for the biennium commencing July 1st, 1939, and ending June 30th, 1941, the sum of \$7,-143,380, or so much thereof as may be necessary to carry out the terms and provisions of this Act. Of said sum so appropriated, the sum of \$137,260 or so much thereof as may be necessary for efficient and economical administration may be used by said Public Welfare Board for costs of administration of Old Age Assistance as herein provided, itemized as follows:

Administrative and Supervisors Salaries\$	93,000
Travel	16,800
Communication:	
(a) Postage	14,160
(b) Telephone and Telegraph	800
Printing	6.000
Office Supplies	1,200
Rental of Equipment	600
Other operating expense	1,000
Purchase of equipment	3,700

\$137,260" Total (7) Add a new section 5, as follows:

"Section 5. Emergency.) An emergency is hereby declared and this Act shall be in full force and effect from and after its passage and approval."

A. W. FOWLER GUST WOG G. F. DREW T. E. WHELAN W. J. BRAUN P. W. BLANK JAMES W. GUTHRIE ED. A. HILL FRED G. AANDAHL C. S. AASEN M. J. RASCHKO M. R. YOUNG W. J. TROUT

Mr. President: A minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 65, have had the same under consideration and recommend that the same be indefinitely postponed.

AXEL OLSON GUST TWETEN

Senator Fowler moved that the report of the majority of the Committee on Taxes and Tax Laws on Senate Bill No. 65 be adopted, without reading and printed in the Journal, which motion prevailed.

Mr. President: A majority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 80, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER GUST WOG G. H. DREW T. E. WHELAN W. J. BRAUN P. W. BLANK JAMES W. GUTHRIE C. S. AASEN FRED G. AANDAHL M. J. RASCHKO M. R. YOUNG W. J. TROUT

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Mr. President: A minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 80, have had the same under consideration and recommend that the same do pass.

AXEL OLSON

ED. A. HILL

GUST TWETEN

Senator Fowler moved that the report of the majority of the Committee on Taxes and Tax Laws on Senate Bill No. 80 be adopted.

Senator Olson of Mountrail made a substitute motion that the word "minority" be substituted for the word "majority."

Senator Olson of Mountrail demanded a roll call which was granted.

The question being on the substitute motion that the word minority be substituted for the word "majority."

ROLL CALL

The roll was called and there were ayes, 17; nays, 25; absent and not voting, 7.

	he affirmative were:	1211212
Hill	Morrison	Streibel
Holl	Nelson, McKenzie	Stucke
Isaak	Olson, McHenry	Thorson
Kamrath	Olson, Mountrail	Troxel
Lemke	Owings	Tweten
Lian	Skarvold	
Those voting in th	e negative were:	
Aandahl	Fredrickson	Morgan
Aasen	Gilbertson	Raschko
Beaton	Gronvold	Topp
Blaisdell	Guenther	Trout
Brant	Guthrie	Watt
Bridston	Lavik	Whelan
Braun	Leum	Wog
Drew	Magoffin	Young
Fowler		
Absent and not vo	oting were:	
- · · · ·	TT 1	

Bilden Flatt Nelson, Grand Fks. Greiser Thatcher Blank Dahl

So the motion to substitute the word "minority" for the word "majority" was declared lost.

The question being on the original motion of Senator Fowler that the report of the majority for indefinite postponement of Senate Bill No. 80 be adopted, prevailed and the report was declared adopted.

The President resumed the Chair.

REPORTS OF STANDING COMMITTEES

Mr. President: A majority of your Committee on Public Welfare to whom was referred:

Senate Bill No. 229, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN G. F. DREW

E. H. BRANT

E. C. STUCKE

R. M. STREIBEL

HERMAN THORSON

Mr. President: A minority of your Committee on Public Welfare to whom was referred:

Senate Bill No. 229, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE

R. R. MORGAN A. W. FOWLER

A. W. FOWLER

Senator Whelan moved that the report of the majority of the Committee on Public Welfare on Senate Bill No. 229 be adopted, which motion prevailed.

Mr. President: Your Committee on Public Welfare to whom was referred:

Senate Bill No. 205, have had the same under consideration and recommend that the same be amended as follows:

In line 7, after the word "made" strike out the period and insert the following language: "and the beneficiaries of such disbursements."

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

Senate Bill No. 156, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 4 strike out the words "The Governor" and insert the following language: A Board consisting of the Governor, Attorney General and the Secretary of State.

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Safety to whom was referred Senate Bill No. 215, have had the same under consideration and recommend that the same do pass.

ANDREW SKARVOLD, Chairman.

Senator Skarvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Public Safety to whom was referred Senate Bill No. 165, have had the same under consideration and recommend that the same be indefinitely postponed.

ANDREW SKARVOLD, Chairman.

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Senator Skarvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same do pass. E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 168, have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "villages," strike out the comma and the word "hamlets."

In lines 19 and 20, strike out the words "governmental agency of the" and after the word "Dakota" in line 20, insert the following: "or the political sub-division thereof, as the case may be" and add a comma.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 234, have had the same under consideration and recommend that the same be amended as follows:.

In line 25, strike out the period, insert a comma, and the following: "provided, however, that the minimum fee for Credit Unions shall be five dollars (\$5)."

In line 40, strike out the word "declare" and insert in lieu thereof "recommend."

In line 75, strike out the word "plus."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 242, have had the same under consideration and recommend that the same be brought in without recommendation.

M. R. YOUNG, Chairman.

Senator Young moved that Senate Bill No. 242 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 207, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 240, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 275, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your Committee on State

Affairs to whom was referred Senate Bill No. 266, have had the same under consideration and recommend that the same be indefinitely postponed.

> J. B. BRIDSTON R. R. MORGAN T. E. WHELAN A. W. FOWLER WM. WATT G. F. DREW BEN. GILBERTSON ROBERT GREISER A. N. LAVIK GUST WOG H. C. GUENTHER M. R. YOUNG

Mr. President: A minority of your Committee on State Affairs to whom was referred Senate Bill No. 266, have had the same under consideration and recommend that the same do pass.

> C. C. MORRISON AXEL OLSON R. A. OWINGS

Senator Young moved that the report of the majority of the Committee on State Affairs on Senate Bill No. 266 be adopted.

Senator Owings made a substitute motion that the word "minority" be substituted for the word "majority," which motion prevailed.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 225, have had the same under consideration and recommend that the same be amended as follows:

Strike out subsection (b) of Section 10 being lines 122, 123 and 124.

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred Senate Bill No. 261, have had the same under consideration and recommend that the same be amended as follows:

In line 12 after the words "National Guard" insert "and further provided that the lands so acquired by exchange shall be held by the State Treasurer, subject to all the conditions of the trust under which the land so exchanged may now be held."

And when so amended recommend the same do pass.

OTTO TOPP, Chairman.

Senator Topp moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 272, have had the same under consideration and recommend that the same be indefinitely postponed.

ED. A. HILL, Chairman.

Senator Hill moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 157, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 6, being lines 34 to 62 inclusive and re-number sections and lines accordingly.

In line 172, change the figure "15" to "45". In line 284, strike out the words "comparative or". And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Safety to whom was referred Senate Bill No. 158, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 2, being lines 40 to 43, inclusive. And when so amended recommend the same do pass.

ANDREW SKARVOLD, Chairman.

Senator Skarvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Concurrent Resolution No. 132, have had the same under consideration and recommend that the same do pass.

OTTO TOPP, Chairman.

Senator Topp moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same do pass.

OTTO TOPP. Chairman.

Senator Topp moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Conference Committee to whom was referred House Bill No. 74, have had the same under consideration and recommend:

That the House accede to the Senate amendments except in line 5, Section 1, strike out beginning with the word "con-trary" down to and including the word "laws" in line 7, and in line 8, change the word "penalize" to "deprive."

In line 24, Item B, change figures "\$28,125.00" to "\$33,-750.00," and in line 25, Item C, change figures "\$36,000.00" to "\$43,200.00," and in line 26, Item D, change figures "\$23,625.00" to "\$28,350.00," and in line 39, change figures "\$401,923.17" to "\$419,473.17," and in line 41, change figures "\$402,923.17" to "\$380,473.17."

For the Senate:	For the House:
Fred G. Aandahl,	John J. Adam
Henry Leum,	J. H. Heckman,
G. F. Drew.	A. R. Bergesen.
Constan Assidabl manual th	- 4 4 h

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Lian moved that the Senate be on the Twelfth Order of Business, and that on the conclusion of the Twelfth Order of Business, the Senate recess for 15 minutes, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies 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.

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency. Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration, Providing Service of Guardians and or Said Board of Administration, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May be Commenced; Specifying the Proceedings May be Changed; and Declaring that an Emergency Exists.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 346. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State, County and Municipal Officers and Employees and Providing for Deduction of Salary and Pay.

Was read the first time and referred to the Committee on State Affairs.

And the Senate stood recessed, pursuant to Senator Lian's motion.

The Senate re-convened at the expiration of the fifteen minute recess.

The President announced that the Senate would be on the Eighth Order of Business.

Senator Gronvold moved that the absent senators be excused, which motion prevailed.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Public Lands to whom was referred:

Senate Bill No. 210, have had the same under consideration and recommend that the same do pass.

OTTO TOPP, Chairman.

Senator Topp moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Troxel moved that Senate Bill No. 210 be ordered printed, which motion prevailed.

The President announced that the Senate would be on the Eighth Order of Business.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 271. A Concurrent

Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Was read the second time.

Senator Braun moved the adoption of Senate Concurrent Resolution No. 271, which motion prevailed and the resolution was declared adopted.

FIRST READING OF HOUSE MEMORIAL RESOLUTIONS

House Memorial Resolution No. 391. A Memorial Resolution Expressing the Regret of the 26th Legislative Assembly at the Death of Rev. R. E. Strutz.

Senator Fowler moved that the rules be suspended and that House Memorial Resolution No. 391 be placed on second reading and final passage, which motion prevailed.

House Memorial Resolution No. 391 was read the second time and was unanimously declared adopted, by a rising vote.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 18, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators Young, Skarvold and Greiser, relative to Senate amendment to:

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Bill for an Act Relating to the Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduced by Committee on Education.

Have had the same under consideration and recommend that the same be approved for introduction.

And,

A Bill for an Act Requiring All School District Officers and Directors and Members of School Boards of Any Common, Special or Independent School District to Serve Without Compensation; Providing a Penalty and Repealing All Laws and Parts of Laws in Conflict Therewith.

Introduced by Committee on Education.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS The Committee on Delayed Bills introduced: Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Senator Blaisdell requested the unanimous consent of the Senate to introduce the following bill, which was granted.

The Committee on Delayed Bills introduced:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Education introduced:

Senate Bill No. 278. A Bill for an Act Relating to the Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Education.

The Committee on Education introduced:

Senate Bill No. 279. A Bill for an Act Requiring All School District Officers and Directors and Members of School Boards of Any Common, Special or Independent School Districts to Serve Without Compensation; Providing a Penalty and Repealing All Laws and Parts of Laws in Conflict Therewith.

Was read the first time and referred to the Committee on Education.

The Committee on Delayed Bills introduced:

Senate Bill No. 280. A Bill for an Act to Amend and Reenact Section 8100 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 155, of the Session Laws of North Dakota for 1933, Relating to the Foreclosure of Real Estate Mortgages; What the Judgment and Decree of Foreclosure Shall Contain; Providing for the Issuance of Execution on Certain Deficiency Judgments; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Judiciary.

Senator Fredrickson moved that Senate Bill No. 260 be amended as follows:

In line 81, strike out the figures "15,000.00" and insert in lieu thereof the figures "150,000.00," which motion pre-vailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 260 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 260. A Bill for an Act Amending and Re-enacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Aandahl	Guenther	Raschko
Aasen	Guthrie	Streibel
Beaton	Hill	Stucke
Blank	Holl	Thatcher
Blaisdell	Kamrath	Thorson
Bridston	Lavik	Topp
Braun	Lemke	Troxel
Drew	Leum	T weten
Fowler	Lian	Watt
Fredrickson	Magoffin	Whelan
Gilbertson	Morgan	Wog
Gronvold	Morrison	Young
Those voting in	the negative were:	
Brant	Olson, McHenry	Owings
Isaak	Olson, Mountrail	Skarvold

Nelson, McKenzie

Skarvold

Absent and not voting: Bilden Flatt Nelson, Grand Fks. Dahl Greiser Trout

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Blaisdell moved that the regular Memorial Services be held on February 23rd, this year, instead of February 22nd, which motion prevailed.

Senator Watt moved that action on Senate Bill No. 93 be laid over one Legislative day, which motion prevailed.

Senate Bill No. 263. A Bill for an Act to Amend and Reenact Section 7412 of the Compiled Laws of 1913, Relating to Power of Court, Interpleader, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in	the affirmative were:	
Aandahl	Guenther	Raschko
Aasen	Guthrie	Skarvold
Beaton	Hill	Stucke
Blank	Holl	Thatcher
Blaisdell	Lavik	Thorson
Brant	Lemke	Topp
Bridston	Leum	Troxel
Braun	Lian	Tweten

Drew	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	
Those voting in the	he negative were:	
Isaak	Olson, Mountrail	Streibel
Kamrath	Owings	
Absent and not vo	ting:	

BildenFlattNelson, Grand Fks.DahlGreiserTrout

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Brant moved that Senate Bill No. 232 be amended as follows:

In line 3, line 3, strike out the figures "25,380.00" and insert in lieu thereof the figures "18,000.00," which motion prevailed.

Senator Fowler moved a further amendment to Senate Bill No. 232 as follows:

In line 24, page 2, after the word "forth" strike out the period and insert a comma and the words "and that this appropriation is made in full payment of all claims and demands of every nature whatsoever," which motion prevailed.

Senator Aandahl moved that the rules be suspended and that Senate Bill No. 232 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion lost.

Senator Blaisdell moved that the Senate recess until 1:30 P. M., Monday, February 20th, which motion prevailed.

And the Senate stood recessed.

WM. J. LOWE, Secretary.

FORTY-SEVENTH DAY AFTER RECESS AND FORTY-NINTH DAY

Bismarck, February 20, 1939.

The Senate re-convened at 1:30 P. M., pursuant to recess taken, February 18th, with the President presiding.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES Mr. President: Your Commmittee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 156; Senate Bill No. 157; Senate Bill No. 115; Senate Bill No. 65; Senate Bill No. 41; Senate Bill No. 158; Senate Bill No. 205; Senate Bill No. 225; Senate Bill No. 232; Senate Bill No. 234; Senate Bill No. 261, and Senate Concurrent Resolution No. 209. And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 136, have had the same under consideration and recommend that the same be brought in without recommendation.

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed, and the report was adopted.

The President announced that Senate Bill No. 136 would be placed on the calendar.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 20, 1939.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would return to the Fifth Order of Business.

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 252, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted. Senator Blaisdell made a substitute motion that Senate Bill No. 252 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 274, have had the same under consideration and recommend that the same be brought in without recommendation.

T. E. WHELAN, Chairman.

Senator Aandahl moved that Senate Bill No. 274 be indefinitely postponed.

Senator Whelan made a substitute motion that the report of the Committee on Education on Senate Bill No. 274 be laid over for one legislative day, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 270, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 269, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 268, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 264, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 198, have had the same under consideration and recommend that the same be amended as follows:

In line 27, section 1, after the word "schools," insert the following:

"And the board shall cause to be published an itemized statement of the receipts and expenditures of the preceding year in the newspaper of the county nearest said school district; provided, that if said board or treasurer shall have failed to publish said statement by the first of September following the presentation of the treasurer's annual report, then it shall be the duty of the county superintendent of schools to cause the publication of the same in the newspaper of the county nearest said school district. Such publication shall be paid for by the school district at the following rate: not to exceed seven dollars and fifty cents (\$7.50) if the district shall be free from bonded indebtedness and ten dollars (\$10.00) if the district shall have a bonded indebtedness. When such annual statement is transmitted to the newspaper for publication, the board of such school district may provide said newspaper with the names and addresses of not more than thirty (30) patrons and taxpayers in the school district and it shall be the duty of the publisher of said newspaper, accepting such report for publication, to mail to said patrons and taxpayers a copy of the newspaper containing such school treasurer's statement."

And when so amended, recommend the same do pass.

T. E. WHELAN, Chairman.

Senator Morgan moved that the report be printed in the Journal without reading and action be laid over for two legislative days, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 219, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 265, 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 providing that the Emergency Commission created and established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota shall pass upon all expenditures from the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

"BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

"SECTION 1. The Emergency Commission created and established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota is hereby authorized and empowered to audit, pass upon and approve all expenditures made from any emergency fund for the State Hail Insurance Department hereafter provided and established by any legislative appropriation.

"SECTION 2. 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.

M. R. YOUNG, Chairman.

Senator Young moved that the report be printed in the Journal and action be laid over for two legislative days, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same be amended as follows:

In the title, after the word "institutions," insert the words "industries and businesses," striking out the word "and" before the word "institutions" and insert a comma in lieu thereof.

In line 1, substitute the words "shall be" for the word "now."

In line 4, after the word "institutions," insert the words "industries and businesses," striking out the word "and" before the word "institutions" and insert a comma in lieu thereof.

In line 5, substitute the words "shall be" for the word "now."

In line 9, Section 1, after the word "institutions," insert the following language: "Such detailed reports shall contain a comparative statement of actual expenditures as compared with budgeted allowances for the period as approved by the Legislative Assembly; also there shall appear a complete, detailed statement of assets and liabilities; a complete list of all officials and employes designating titles and duties with salaries and expenses paid to such officials and employes listed for each month of the period covered under this report; in the case of land or other properties owned by or held by the state as trustee, an itemized list of the present disposition of such properties and their permanent or temporary lessees, giving name and consideration for such transaction. Such reports may be mimeographed."

In line 12, after the word "institutions," insert the words "industries and businesses," striking out the word "and" before the word "institutions" and insert a comma in lieu thereof.

In line 23, after the word "institutions" insert the words "industries and businesses," striking out the word "and" before the word "institutions" and insert a comma in lieu thereof.

In line 23, strike out the words "of receipts and disbursements" and insert in lieu thereof "as herein before described."

In line 25, after the word "file," insert a comma and the following words: "on or before December first, of each year."

In line 29, after the word "furnish" and insert in lieu thereof the words "the Lieutenant Governor and."

In line 29, strike out the word "branch" and insert in lieu thereof the word "member-elect." In line 30, strike out the words "five copies" and insert in lieu thereof the words "one copy."

And re-number the lines accordingly.

And when so amended, recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be printed in the Journal and action on the report be laid over two legislative days, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 278, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 243, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 222, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 3 and that portion of line 4 to and including the figures "(\$5,598.30)" and insert in lieu thereof "sum of Four Thousand Forty-five Dollars and Five Cents (\$4,045.05)."

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 35 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 35, have had the same under consideration and recommend:

For the Senate:	For the House:
Wm. A. Thatcher,	R. G. Beede,
Fred J. Fredrickson,	Jos. D. Byrne,
James W. Guthrie.	J. M. Anderson.

Senator Thatcher moved that the report be adopted which motion prevailed and the report was adopted.

iner i		that Senate Bill and placed on Sec	ner moved that the rules No. 35 be considered pro- ond Reading and Final P	operly re-engrossed assage, as amended
5.		by the Conference	e Committee, which moti	on prevailed.
725		SECON	D READING OF SENA	FE BILLS
			. 35. A Bill for an Act	
9:TF		enact Sections 8 Year 1913, Relati	59 and 860 of the Coming to the Form of Part	piled Laws for the y Primary Election
÷		Ballots and the	Manner of Voting the S	Same.
1945 1944		Was read the s	second time.	
LE.			ROLL CALL	
<u>11</u>		amended, the roll	being on the final pass was called and there w	
rt.e		0; absent and not		
			the affirmative were:	
5		Aasen	Hill	Owings
2		Beaton	Holl	Raschko
é.		Blank	Isaak	Skarvold
		Blaisdell	Kamrath	Streibel
	,	Brant	Lavik	Thatcher
C		Bridston	Lemke	Thorson
-		Braun	Leum	Topp
		Drew	Lian	Trout
8		Fowler	Magoffin	Troxel
ę.		Fredrickson	Morgan	Tweten
d		Gilbertson	Morrison	Watt
		Greiser	Nelson, McKenzie	Whelan
3		Gronvold Guenther	Olson, McHenry	Wog
n V		Guthrie	Olson, Mountrail	Young
2		Gutifie		
		Absent and not	voting:	
		Aandahl Bilden	Dahl Flatt	Nelson, Grand Fks. Stucke
		So the bill pass	sed and the title was ag	reed to.
		ME	SSAGE FROM THE HO	TICE
		ME	House of R	lepresentatives, ebruary 20, 1939.
t.		Mr. President: following bills:	I have the honor to tra	insmit herewith the
		House Bill No	. 267. A Bill for an	Act Providing for
		Serological Test, Marriage License	for Syphilis of All Per s; Prohibiting Marriage	sons Applying for of Any Person Af-
			ilis in Communicable Fo	
			ical Test to Be Required	
		to County Judges	Before the Issuance of a	Marriage License;
			ts and Parts of Acts Inco	
			n; Making an Appropria	
			nt to Enable it to Com	ply with the Pro-
			45. A Bill for an Act	
			ne Motor Patrol Fund in n, Maintenance, Equipm	

for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

House Bill No. 8. A Bill for an Act Making an Appro-

Children of

þ.

priation for the Purpose of Paying Salary Clerk Hire, and General Expenses of the State Historical Society.

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game and Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 20, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and

Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

WM. J. LOWE, Secretary.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 20, 1939.

To the Senate of the State of North Dakota: This is to notify you that I have today approved and filed

with the Secretary of State:

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

JOHN MOSES, Governor.

The President announced that the Senate would return to the 5th Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 276, have had the same under consideration and recommend that the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FORTY-NINTH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Adj. Walter Miller.

Roll Call: All Senators present except Senators: Bilden, Dahl, Flatt and Nelson of Grand Forks.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-sixth day after recess and Forty-seventh day and recommends that the same be corrected as follows:

On page 484, line 24, change the figure "26" to "266." On page 489, line 49, change the figure "269" to "260."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

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Bismarck, February 20, 1939. Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee Report on Senate Bill No. 35.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

Communications were received from the Bismarck Trade and Labor Assembly protesting against House Bill No. 199 and House Bill No. 346, which communications were referred to the Committee on State Affairs.

REPORTS OF STANDING COMMITTEES

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 197, have had the same under consideration and recommend that the same be amended as follows:

Strike out the name of "Blaisdell" from the list of sponsors. In line 24 strike out the word "second" and insert in lieu thereof the word "third."

And when so amended recommend the same do pass.

JAMES W. GUTHRIE J. L. FLATT WM. A. THATCHER A. W. FOWLER TOM WHELAN HENRY LEUM E. C. STUCKE OTTO TOPP FRED J. FREDRICKSON

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

J. C. BLAISDELL GUST TWETEN FRANK H. BEATON ANDREW SKARVOLD ED. LIAN

Senator Guthrie moved that the report of the majority of the Committee on Judiciary on Senate Bill No. 197 be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 194, have had the same under consideration and recommend that the same be amended as follows:

Strike out the name "Blaisdell" from the list of sponsors. In section 1, line 4, strike out the comma and insert in lieu thereof the word "or."

And when so amended recommend the same do pass.

J. L. FLATT JAMES W. GUTHRIE WM. A. THATCHER A. W. FOWLER TOM WHELAN HENRY LEUM E .C. STUCKE OTTO TOPP FRED J. FREDRICKSON

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 194, have had the same under consideration and recommend that the same be indefinitely postponed.

J. C. BLAISDELL KRISTIAN HOLL GUST TWETEN FRANK S. BEATON ANDREW SKARVOLD ED. LIAN

Senator Guthrie moved that the report of the majority of the Committee on Judiciary on Senate Bill No. 194 be adopted, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 212, 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 Amending and Re-enacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT. Section

2 2093 of the 1925 Supplement to the Compiled Laws of 2a North

3 Dakota for 1913 is hereby amended and re-enacted to read 3a as

4 follows:

5 Section 2093. Listing of real and personal property

6 for taxation purposes making special provisions for the

7 assessment of stock of goods, wares, and merchandise. All

8 real property subject to taxation shall be listed and 9 assessed every odd numbered year with reference to its

9a value

10 on April first of that year and shall not be reassessed in

11 the following year, except by order of the Board of County

12 Commissioners or Tax Commissioner. Property assessed in 13 odd numbered years shall be taxed upon the assessed 13a valua-

14 tion as equalized by the state board of equalization in such 15 year and in the following year except as herein otherwise 16 provided. All real property becoming taxable in any inter-17 vening year shall be listed and assessed with reference to its value on April first in that year. Personal property 18 shall be listed and assessed annually with reference to its 19 20 value upon April first of each year. The value of a stock 21 of merchandise whether owned by an individual, co-21a partnership,

22 association or corporation, for the purpose of assessment 23 for taxation shall be taken to be the monthly average of

for taxation shall be taken to be the monthly average of the inventory on the first day of each month of the year preceding the date of the assessment. Such monthly av-

25a erage 26 shall be determined as follows: an actual inventory taken

27 on or about the first day of any month shall be taken to 28 be the inventory so taken; the inventory for the succeed-28a ing

29 month shall be determined by adding to such actual in-29a ventory

30 the wholesale cost price of all merchandise purchased 30a during

31 such succeeding month, and subtracting therefrom the 31a whole-

32 sale cost price of the merchandise sold during such month

33 except such taxpayers that now have a monthly perpetual

34 inventory system. The inventory for any succeeding 34a month

35 shall be determined likewise by adding to the inventory of

36 the preceding month the wholesale cost price of all mer-37 chandise purchased during such succeeding month and

37a deduct-,

ing the wholesale cost price of all merchandise sold during
such month. The average inventory for the tax year shall
be determined by adding the inventories so determined as
above for each of the twelve months preceding the first
day

42 of April for the assessment year, and dividing the total 43 of such twelve inventories by twelve. The dividend thus 44 obtained shall be the average monthly inventory for the 45 assessment year and shall be the assessment value of such 46 stock of merchandise for the purpose of assessment for 46 the

47 assessment year. In every even numbered year at the time 48 of assessing personal property, the assessor shall also 49 assess all real property that may have become subject to 50 taxation since the last previous assessment, and all build-51 ings or other structures of any kind, whether completed or 52 in process of completion, or improvements on any struc-52a tures

53 of over one hundred dollars (\$100.00) in value, the value 54 of which has not been previously added to or included in 55 the valuation of the land or lots on which they have been 56 erected, excepting farm buildings now exempt from 56a taxation.

57 Whenever after the first day of April and before the first 58 day of June in any year, it is made to appear to the as-58a sess-

59 or by the oath of the owner or owners, that any buildings, 60 structure or other improvement or tangible personal

60a pro-

61 perty, which is listed for taxation for the current year 62 has been destroyed or injured by fire, flood or tornado, he 63 shall investigate the matter and deduct from the valua-63a tion

64 of the property of the owner of such destroyed property, 64a an 65 amount which in his judgment, fairly represents such 65a deduc-

66 tion as should be made; no deduction shall be made on 67 account of damages covered by insurance, or damages 67a amount-

68 ing to less than one hundred dollars (\$100.00). In case of 69 an abatement by the Board of County Commissioners and 69a Tax

70 Commissioner of the valuation of any parcel of real estate

71 as assessed in an odd numbered year pursuant to Chapter 71a 227,

72 Session Laws of 1917 (amending Section 2165, 3646; 72a post) or

73 acts amendatory thereof, the valuation as abated shall be

74 the assessed valuation in the even numbered year next 74a follow-

75 ing, except as otherwise herein provided.

76 SECTION 2. REPEAL. All acts or parts of

77 acts in conflict herewith are hereby repealed.

78 SECTION 3. EMERGENCY. This act is

79 hereby declared to be an emergency measure, and shall be 79a in

80 full force and effect from and after its passage and 81 approval.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 227, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 20, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 391. A Concurrent Resolution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz. Which the Senate has adopted.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 263. A Bill for an Act to Amend and Reenact Section 7412 of the Compiled Laws of 1913, Relating to Power of Court, Interpleader, and Declaring an Emergency.

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies. Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

Senator Blaisdell moved that action on Senate Bills 232 and 266 be laid over one day, which motion prevailed.

Senator Fowler moved that the report of the Committee on Taxes and Tax Laws on SCR No. 209 and Senate Bill No. 214 be laid over one day, which motion prevailed.

Senator Aandahl moved that the Conference Committee on House Bill No. 74 be discharged, which motion prevailed.

Senator Thatcher moved that the Conference Committee on Senate Bill No. 35 be discharged, which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 242 be placed at the foot of the calendar, which motion prevailed.

Senator Trout moved that Senate Bill No. 179 be placed at the foot of the calendar, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

SECOND READING OF SENATE BILLS

Senate Bill No. 93. A Bill for an Act to Prohibit the Use of Certain Properties of the State of North Dakota and Its Political Sub-divisions in the Discharge of Private Business; Providing Penalties for the Violation 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, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Drew	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young

Absent and not voting:

Bilden

Dahl

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Flatt

Senator Watt moved that Senate Bill No. 275 be placed at the head of the calendar, which motion prevailed.

Senator Watt moved that Senate Bill No. 275 be amended as follows:

In section 1, line 1, after the word "any" insert the word "person" and a comma; which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 275 be considered properly engrossed and placed on Second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties 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, 45; nays, 0; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Drew	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Watt
Greis er	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young

'Absent and not voting:

Bilden Dahl Nelson, Grand Fks.

4

So the bill passed and the title was agreed to.

Flatt

Senator Lian moved that the Senate be on the Twelfth Order of Business and at the conclusion of the first reading of House bills, the Senate recess for twenty minutes, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary Clerk Hire, and General Expenses of the State Historical Society.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 9. 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.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Cperative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game and Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

Was read the first time and referred to the Committee on Game and Fish and then re-referred to the Committee on Appropriations.

I.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

Was read the first time and referred to the Committee on Public Health.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Was read the first time and referred to the Committee on Public Welfare.

The Senate stood recessed pursuant to the motion of Senator Lian.

The Senate reconvened at the expiration of the twenty minute recess.

The President announced that the Senate would be on the Eighth Order of Business.

Senator Raschko moved that the rules be suspended and that former Governor Welford, who is a visitor in the Senate Chamber today, be escorted to the rostrum, which motion prevailed.

The President appointed as a committee to escort former Governor Welford to the rostrum, Senators: Raschko, Whelan and Morgan.

Former Governor Welford was then escorted to the rostrum and made a short address to the Senate.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 20, 1939.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

House Bill No. 388. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in any Business, Trade, Profession, Occupation or Calling, to be Measured by Gross Income, to Provide That This Tax Shall be a Replacement Tax to the Extent Herein Specifeid, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions From the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3 of Chapter 214 of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941; to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937 as Amended by the Initiated Act Approved November 8, 1938; Repealing all Acts and Parts of Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senator Guthrie moved that Senate Bill No. 41 be amended as follows:

In line 14 of the amendment, page 476 of the Journal, after the word "may," insert the words "within one year after any assessment becomes final," which motion prevailed.

Senator Guthrie moved that the rules be suspended and that Senate Bill No. 41 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 20; nays, 23; absent and not voting, 6.

Those voting in the affirmative were:

Those voting in the	allimative were.	
Aasen	Kamrath	Thorson
Bridston	Lemke	Topp
Drew	Morrison	Trout
Greiser	Nelson, McKenzie	Whelan
Guthrie	Olson, Mountrail	Wog
Hill	Raschko	Young
Holl	Thatcher	
Those voting in the	negative were:	

Those voting in the negative were:AandahlGronvoldOlson, McHenryBeatonGuentherOwings

Blaisdell	Isaak
Brant	Lavik
Braun	Leum
Fowler	Lian
Fredrickson	Magoffin
Gilbertson	Morgan

Dahl

Flatt

Skarvold Streibel Stucke Troxel Tweten

Absent and not voting:

Bilden

Blank

Nelson, Grand Fks. Watt

So the bill was declared lost.

Senator Aandahl moved that the vote by which Senate Bill No. 41 was lost be reconsidered, and the motion to reconsider be laid on the table, which motion lost.

Senator Watt requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Watt moved that the report of the Conference Committee on House Bill No. 74 be adopted, and that House Bill No. 74 be placed on Second Reading and Final Passage.

SECOND READING OF HOUSE BILLS

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Guenther	Raschko	
Aasen	Guthrie	Skarvold	
Beaton	Hill	Streibel	
Blank	Holl	Stucke	
Blaisdell	Kamrath	Thatcher	
Brant	Lavik	Topp	
Bridston	Lemke	Trout	
Braun	Leum	Troxel	
Drew	Lian	Tweten	
Fowler	Magoffin	Watt	
Fredrickson	Morgan	Whelan	
Gilbertson	Nelson, McKenzie	Wog	
Greiser	Olson, Mountrail	Young	
Gronvold	Owings		
Those voting in the	e negative were:		
Isaak	Morrison	Olson, McHenry	
Absent and not voting were:			
Bilden	Flatt	Thorson	
Dahl	Nelson, Grand Fks.		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE

House of Representatives, Bismarck, February 20, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE FROM THE GOVERNOR

State of North Dakota OFFICE OF THE GOVERNOR

Bismarck

February 20, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

JOHN MOSES,

Governor.

The President announced that the Senate would return to the Eleventh Order of Business for the second reading of Senate Bills.

Senator Whelan moved that Senate Bill No. 115 be amended as follows:

In line seven, after the comma, insert the words "one-half of."

Senator Whelan demanded a roll call which was granted.

ROLL CALL

The question being on the motion of Senator Whelan to amend Senate Bill No. 115, the roll was called and there were ayes, 19; nays, 25; absent and not voting, 5.

Those voting in the affirmative were:

all mative were.	
Morrison	Thatcher
Nelson, McKenzie	Topp
Olson, McHenry	Trout
Olson, Mountrail	Troxel
Owings	Watt
Skarvold	Whelan
negative were:	
Guenther	Magoffin
Guthrie	Morgan
Hill	Raschko
	Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail Owings Skarvold negative were: Guenther Guthrie

MONDAY, FEBRUARY 20, 1939

Brant
Bridston
Braun
Fowler
Fredrickson
Gronvold

Streibel Stucke Tweten Wog Young

Absent and not voting:BildenFlattDahlNelson, Grand Fks.

Holl

Kamrath

Lemke

Leum

Lian

So the motion was declared lost.

Senate Bill No. 115. A Bill for an Act to Amend and Reenact Chapter 242, Session Laws of 1937, Relating to the Levying of a Tax for the Purpose of Paying 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, as amended, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Gronvold	Morrison
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Owings
Blank	Hill	Raschko
Blaisdell	Holl	Skarvold
Brant	Isaak	Streibel
Bridston	Kamrath	Stucke
Braun	Lavik	Thatcher
Drew	Lemke	Торр
Fowler	Leum	Troxel
Fredrickson	Lian	Tweten
Gilbertson	Magoffin	Wog
Greiser	Morgan	Young

Those voting in the negative were: Nelson, McKenzie Trout Olson, Mountrail Watt

Watt

Whelan

Absent and not voting: Bilden Flatt Thorson Dahl Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senate Bill No. 65. A Bill for an Act Levying and Imposing a Tax to Carry Out the Provisions of That Certain Initiated Measure Adopted at the General Election November 8, 1938, Entitled "An Act Amending and Re-enacting Section 3 of Chapter 211 of the Session Laws of North Dakota for 1937, and Providing That the Amount of Assistance Which Any Person Shall Receive Shall be Sufficient When Added to All Other Income of Recipient to Provide Such Person With a Reasonable Subsistence Compatible With Decency and Health But Shall Not be Less Than a Minimum of Forty Dollars (\$40.00) Per Month Except That it Shall Not be Less than a Minimum of Thirty Dollars (\$30.00) Per Month for Each Recipient Where There Is More Than One Recipient in a Family and Each County Shall Reimburse the State Agency for Fifteen Per Cent of the Amount Expended for Such Assistance in Such County in Excess of the Amount Provided by the Federal Government and Repealing All Acts and Parts of Acts in Conflict Herewith"; Providing That All Funds Derived From Such Tax Shall be Paid Into the State Treasury and Shall be Deposited in the State Public Welfare Fund in Said Treasury and Disbursed by the Public Welfare Board of North Dakota as Provided by Law; and Providing for the Submission of This Act to a Vote of the Electors of the State of North Dakota for Their Approval or Rejection and Providing That If This Act Is Rejected at Such Election it Shall be of No Force or Effect, Making an Appropriation, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 16; absent and not voting, 5.

the affirmative were	•
Gilbertson	Magoffin
Gronvold	Morgan
Guenther	Thatcher
Guthrie	Topp
Hill	Trout
Holl	Watt
Lavik	Whelan
Lemke	Wog
Leum	Young
	Gilbertson Gronvold Guenther Guthrie Hill Holl Lavik Lemke

Those voting in th	e negative were:	
Beaton	Nelson, McKenzie	Skarvold
Greiser	Olson, McHenry	Streibel
Isaak	Olson, Mountrail	Stucke
Kamrath	Owings	Troxel
Lian	Raschko	Tweten
Morrison		

Absent and not voting: Bilden Flatt Thorson Dahl Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senator Whelan 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.

Senator Braun: "Mr. President, I wish to explain my vote. Senate Bill No. 65 will be killed in the House, and the House Gross Earnings Tax will be killed here in the Senate, but this bill doesn't take away the present Old Age Assistance, therefore I vote 'aye'."

The President announced that the name of Senator Gronvold had been substituted for the name of Senator Greiser on the Conference Committee on House Concurrent Resolution No. 91.

Senator Whelan moved that the Senate be on the Twelfth Order of Business for the First Reading of House Bills and at the conclusion of the Twelfth Order of Business, the Senate will be on the Fifteenth Order of Business for the Signing of Bills and then recess until 1:00 P. M., Tuesday, February 21st, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 139. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3 of Chapter 214 of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941; to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937 as Amended by the Initiated Act Approved November 8, 1938; Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 388. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in any Business, Trade, Profession, Occupation or Calling, to be Measured by Gross Income, to Provide That This Tax Shall be a Replacement Tax to the Extent Herein Specifeid, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions From the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

And the Senate stood recessed until 1:00 P. M., February 21st, pursuant to the motion of Senator Whelan.

WM. J. LOWE, Secretary.

FORTY-NINTH DAY AFTER RECESS AND FIFTIETH DAY

Bismarck, February 21, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 20th, with the President presiding.

The President announced that the Senate would be on the Fifth Order of Business.

Senator Young moved that action be taken on the reports of the Committee on State Affairs on Senate Bills No. 265 and No. 144 as printed in the Journal of February 20th, on pages 495 and 496, which motion prevailed.

Senator Young moved that the report of the Committee on State Affairs on Senate Bill No. 265 be adopted, which motion prevailed.

Senator Young moved that the report of the Committee on State Affairs on Senate Bill No. 114 be adopted, which motion prevailed.

Senator Morgan moved that action be taken on the report of the Committee on Education on Senate Bill No. 198 as printed in the Journal of February 20 on page 495, which motion prevailed.

Senator Morgan moved that the report of the Committee on Education on Senate Bill No. 198 be adopted, which motion prevailed.

Senator Fowler moved that the report of the Committee on Taxes and Tax Laws on Senate Concurrent Resolution No. 209 be adopted as printed in the Journal, which motion prevailed.

Senator Fowler moved that the report of the Committee on Taxes and Tax Laws on Senate Bill No. 214 be adopted as printed in the Journal, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Delayed Bills to whom was referred:

A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Introduced by the Committee on Education.

Have had the same under consideration and recommend that the same be approved for introduction.

H. C. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the title and insert the following:

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPOINTMENT OF COMMISSIONERS. That the Governor is hereby authorized and directed to appoint a commission of three persons, one of whom shall have had experience as a fiscal officer of a political sub-division and one of whom shall be a certified public accountant, to make a survey of the books and records of the various departments of the State of North Dakota and its institutions, and to make a survey of the books and records of the counties and other political sub-divisions for the purposes of this act.

SEC. 2. POWERS AND DUTIES OF COMMISSIONERS. Such commission shall have the following:

A. Powers.

(a) To make a survey of the books and records of each and all funds administered by state officials under the laws of this State, and of the methods of accounting employed in connection therewith, such survey to be independent and not in conjunction with any other examination required by law or otherwise.

(b) To present to the Governor, prior to December 1, 1940, a complete and detailed report of the condition of each department of the state government, of each institution, and of each fund administered by state officials under the laws of the state; said report shall contain a list of the state securities and their appraised value, in the possession of each department, each institution and each fund administered by state officials under the laws of the state; said report shall include also an inventory on a date certain of all public property of the State of North Dakota including the state house at Bismarck, all penal, charitable and educational institutions of the state, and all personal property belonging to the state, with a detailed appraisement of the value of such public property.

(c) To make a careful research into the business methods, systems of records and accounts, bookkeeping and making of reports of the various state officers, and all penal, charitable, industrial and educational institutions of the state and custodians of funds administered by state officials.

(d) To investigate into the business methods, systems

of records and accounts, bookkeeping and making of re-ports of the officials of all political sub-divisions; such investigations of the methods and practices of the state and its local subdivisions to be exercised to the end that economy and efficiency shall be exercised, and that full, complete, accurate and uniform reports and statistics be obtained, and the interests of the public fully protected. B. Duties.

(a) When such researches and examinations shall have been made, the commissioners appointed under this act shall make a report in detail to the Governor of their work; formulate systems of uniform bookkeeping and accounting for the charitable and penal institutions of the state; formulate a system of uniform bookkeeping and accounting for the institutions of higher education of the state; and to recommend a system of reporting for the political sub-divisions of the state, which shall be uniform for each type of political sub-division.

(b) In connection with the said report to the Governor said commission shall present blank books and forms to be used in connection with the bookkeeping and accounting of the different departments of the state, its institutions, charitable, penal, industrial, and educational; and present illustrative forms of records for the various types of political sub-divisions, which will enable the officials to prepare efficiently and economically the reports referred to in the preceding sub-section.

SEC. 3. ESTABLISHMENT OF UNIFORM ACCOUNT-ING SYSTEMS. The Governor shall submit such report and proposed bookkeeping and accounting systems and forms to a board composed of the Governor, State Examiner, Attorney-General and four others to be chosen by the Governor, one representative of the School of Accounting of the University of North Dakota, two finance officers of political sub-divisions and one other. After due consideration a majority of said board are hereby authorized and empowered to require systems of accounting, bookkeeping and reports installed in all departments and institutions of the state and to require uniform reports from political sub-divisions. The form of such systems shall be as near uniform for the departments, uniform for the institutions of higher education, uniform for the other institutions, and uniform for each type of political sub-division, as may be practicable. The use of each uniform system of accounting, bookkeeping and reporting shall begin at a certain future date to be fixed by the order of the Governor, but not later than July 1, 1941. All officers whose duty it is to purchase blanks, account books and records under the present system of accounts and laws governing the same are hereby empowered and directed to procure blanks, books and records which shall have become necessary to the uniform systems which shall have been adopted; provided, however, that those political subdivisions whose accounting systems are substantially in accordance with the systems provided under this act shall be excepted from having to install a new accounting system.

SEC. 4. TIME FOR PERFORMANCE. All duties required or authorized under this act by the commissioners appointed under this act, shall be completed not later than December 1, 1940.

SEC. 5. INVESTIGATION OF AUDITS. Said Commissioners appointed under this act, shall be empowered and directed to investigate the laws and their application to audits made or required of state officers, departments, institutions, and of the fiscal officers of local sub-divisions. On or before December 1, 1940, said commission shall make a report of such investigation to the Governor, with recommendations, to the end that each and every officer, department, board, bureau, institution or commission of the state and every fiscal officer of its local sub-divisions, who receives, collects, or disburses any public money, shall have his or its affairs properly audited at least annually by the State Examiner or by some competent and disinterested person or persons approved by the board created by Section 3 of this act; and to the end that the results of such audits shall be readily available to the people of the State of North Dakota.

SEC. 6. PENALTY. Any public officer or employee who neglects or refuses to conform to the provisions of this act shall be subject to removal from office as provided by law.

SEC. 7. GOVERNOR'S POWER OF INVESTIGATION. The Governor shall have an examination, audit and check of all officers, departments, boards, bureaus, commissions and institutions of the state government made before December 1, 1940, and once every two years thereafter. In case, in the judgment of the Governor, it is necessary to protect the interests of the state government before the biennial examination, audit and check as provided herein, authority is hereby given to him to order the same to be done forthwith.

SEC. 8. SALARY, EXPENSES. The certified accountant, who has been appointed a member of the commission shall receive a salary of not to exceed three hundred dollars (\$300) per month, and traveling expenses necessarily incurred. The other two members of the commission shall each receive six dollars (\$6) per day for each day of actual service, and traveling expenses necessarily incurred; provided, however, the total amount paid for per diem to each member of the commission shall not exceed the sum of five hundred dollars (\$500). Members of the board shall receive traveling expenses necessarily incurred.

SEC. 9. APPROPRIATION. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of fifteen thousand and ten dollars (\$15,010) or so much thereof as may be necessary to pay the salary and expenses of the commission, for the biennium beginning July 1st, 1939, and ending June 30th, 1941, to-wit:

Salary of accountant\$6,000.00

Travening expenses commissioner	
and board members	1,100.00
Traveling expenses accountants	600.00
Stenographers (2)	4,560.00
Supplies	750.00
Postage	500.00

Total......\$15,010.00

SEC. 10. REPEAL. That Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913, and all acts and parts of acts in conflict herewith are hereby repealed. And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report of the Committee on Banks and Banking on Senate Bill No. 109 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred Senate Bill No. 281, have had the same under consideration, and recommend that the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 279, have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 194; Senate Bill No. 222; Senate Bill No. 212; Senate Bill No. 198; Senate Bill No. 197, and Senate Bill No. 275, And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that the Senate request the House to return Senate Bill No. 10, which motion prevailed.

Senator Gilbertson moved that the Senate stand for a moment in respect to a former member of this legislature, Rev. R. E. Strutz, whose funeral services are being conducted at this time, which motion prevailed.

And the Senate stood as a tribute to the memory of Rev. R. E. Strutz.

Senator Fowler moved that the vote by which Senate Bill No. 41 was lost be reconsidered, which motion prevailed.

Senator Fowler requested that the Senate be on the Eleventh Order of Business, which request was granted.

Senator Fowler moved that Senate Bill No. 41 be placed

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on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws 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, 28; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Aasen	Greiser	Nelson, McKenzie
Beaton	Guthrie	Olson, McHenry
Blank	Hill	Raschko
Blaisdell	Holl	Trout
Bridston	Isaak	Tweten
Braun	Kamrath	Watt
Drew	Lemke	Whelan
Flatt	Magoffin	Wog
Fowler	Morrison	Young
Gilbertson		
Those voting in	the negative were:	

I HOBE TOUTING III	the negative were.	
Aandahl	Lavik	Owings
Brant	Leum	Skarvold
Dahl	Lian	Streibel
Fredrickson	Morgan	Thatcher
Gronvold	Olson, Mountrail	Troxel
Guenther		

Absent and not voting:

Bilden

Topp

Nelson, Grand Fks. Thorson

So the bill passed and the title was agreed to.

Stucke

Senator Young 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.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 21, 1939.

Mr. Speaker: The Senate requests the return of: Senate Bill No. 10. 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, as Provided for Under Chapter 137, Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith. WM. J. LOWE, Secretary.

The President announced that the Senate would return to the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 195, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 280, have had the same under consideration and recommend that the same do pass. JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 123, have had the same under consideration and recommend that the same be amended as follows:

In line 5, strike out the figures "\$1,417,700.00" and insert in lieu thereof the figures "\$1,034,942.00."

In line 10, strike out the figures "\$1,417,700.00" and insert in lieu thereof the figures "\$1,034,942.00."

In line 12, strike out the figures "\$137,260.00" and insert in lieu thereof the figures "\$116,942.00."

In line 15, after the comma following the word "Act," strike out the balance of the line and insert the following: "provided, however, that said sum hereby appropriated for administrative expense shall be reduced by such sums as shall be contributed and paid by the Federal Government for administrative expenses for administration of Old Age Assistance."

In line 16, strike out the figures "\$93,000.00" and insert in lieu thereof the figures "\$81,442.00."

In line 18, strike out the figures "\$14,160.00" and insert in lieu thereof the figures "\$8,000.00."

In line 19, strike out the figures "\$800.00" and insert in lieu thereof the figures "\$600.00."

In line 20, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$4,800.00."

In line 21, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,500.00."

In line 24, strike out the figures "\$3,700.00" and insert in lieu thereof the figures "\$2,200.00."

In line 25, strike out the figures "\$137,260.00" and insert in lieu thereof the figures "\$116,942.00."

Re-number all lines in numerical order.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 123 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

Line 6, strike out the figure "\$1,245,047.00" and insert in lieu thereof the figure "\$940,000.00".

Line 26, strike out the figure "\$1,074,267.00" and insert in lieu thereof the figure "\$800,000.00".

Line 31, strike out the figure "\$67,180.00" and insert in lieu thereof the figure "\$55,000.00".

Line 36, strike out the figure "\$23,600.00" and insert in lieu thereof the figure "\$20,000.00".

Line 43, strike out the figure "\$80,000.00" and insert in lieu thereof the figure "\$65,000.00".

Line 49, strike out the figure "\$1,245,047.00" and insert in lieu thereof the figure "\$940,000.00".

Line 51, strike out the figure "\$129,380.00" and insert in lieu thereof the figure "\$99,900.00".

Line 55, strike out the figure "\$100,220.00" and insert in lieu thereof the figure "\$80,000.00".

Line 56, strike out the figure "\$13,800.00" and insert in lieu thereof the figure "\$10,000.00".

Line 57, strike out the figure "\$3,175.00" and insert in lieu thereof the figure "\$2,500.00".

Line 58, strike out the figure "\$1,155.00" and insert in lieu thereof the figure "\$800.00".

Line 59, strike out the figure "\$3,500.00" and insert in lieu thereof the figure "\$2,500.00".

Line 60, strike out the figure "\$1,900.00" and insert in lieu thereof the figure "\$1,000.00".

Line 61, strike out the figure "\$3,050.00" and insert in lieu thereof the figure "\$1,500.00".

Line 63, strike out the figure "\$1,980.00" and insert in lieu thereof the figure "\$1,000.00".

Line 64, strike out the figure "\$129,380.00" and insert in lieu thereof the figure "\$99,900.00".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 140 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 1.

In line 29, strike out the figure "\$3,743,600.00" and insert in lieu thereof the figure "\$2,500,000.00".

Line 54, strike out the figure "\$3,743,600.00" and insert in lieu thereof the figure "\$2,500,000.00".

Line 55, strike out the figure "\$94,400.00" and insert in lieu thereof the figure "\$68,500.00".

Line 67, strike out the figure "\$50,000.00" and insert in lieu thereof the figure "\$40,000.00".

Line 68, strike out the figure "\$10,400.00" and insert in lieu thereof the figure "\$7,000.00".

Line 69, strike out the figure "\$3,600.00" and insert in lieu thereof the figure "\$2,500.00".

Line 70, strike out the figure "\$2,400.00" and insert in lieu thereof the figure "\$2,000.00".

Line 71, strike out the figure "\$15,000.00" and insert in lieu thereof the figure "\$10,000.00".

Line 72, strike out the figure "\$3,600.00" and insert in lieu thereof the figure "\$2,500.00".

Line 73 strike out the figure "\$2,000.00" and insert in lieu thereof the figure "\$1,000.00".

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Line 74, strike out the figure "\$2,400.00" and insert in lieu thereof the figure "\$1,000.00".

Line 75, strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$2,500.00".

Line 76, strike out the figure "\$94,400.00" and insert in lieu thereof the figure "\$68,500.00".

Re-number Sections 2, 3 and 4 to read Sections 1, 2 and 3. Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 141 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 239, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figure "\$5,664,000.00" and insert in lieu thereof the figure "\$4,140,000.00".

Line 16, strike out the figure "\$5,524,000.00" and insert in lieu thereof the figure "\$4,000,000.00".

Line 17, strike out the figure "\$5,664,000.00" and insert in lieu thereof the figure "\$4,140,000.00".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 254, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$217,340.00" and insert in lieu thereof the figures "\$172,700.00."

In line 8, strike out the figures "\$3,840.00" and insert in lieu thereof the figures "\$4,200.00."

In line 9, strike out the figures, "\$75,000.00." and insert in lieu thereof the figures "\$60,000.00."

In line 10, strike out the figures "\$39,000.00" and insert in lieu thereof the figures "\$40,000.00."

In line 12, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,000.00."

In line 13, strike out the figures "\$15,000.00," and insert in lieu thereof the figures "\$12,000.00."

In line 14, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

In line 15, strike out the figures "\$25,000.00" and insert in lieu thereof the figures "\$2,500.00."

Strike out all of line 18 and insert in lieu thereof the fol-

lowing: "For Inspection by Patrolmen" and the figures "\$6,000.00."

In line 19, strike out the figures "\$217,340.00" and insert in lieu thereof the figures "\$172,700.00."

And when so amended, recommend the same do pass. WM. WATT, Chairman.

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Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 9, be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 206, have had the same under consideration and return the same without recommendation.

WM. WATT, Chairman.

Senator Watt moved that Senate Bill No. 206 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 216, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 68, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 257, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 255, have had the same under consideration and recommend that the same be amended as follows:

Section 1, strike out that portion of line 3, after the word "of" and the figures "\$300,000.00" in line 4 and insert in lieu thereof the following: "One Hundred Eighty-eight thousand, Two Hundred and Ninety Dollars (\$188,290.00) .",

Strike out all of line 9 and all following lines and insert in lieu thereof the following:

9	Salary for the manager	5,640.00
10	Chief Accountant	4,800.00
11	Attorney	
12	Chief Člerk	4,600.00
13	Tax Recording Clerk	4,000.00
14	Assistant Tax Recording Clerk	
15	Application Clerk	4,000.00
16	Application Clerk Assistant Application Clerk	3,200.00
17	Secretary	3,200.00
18	Certification Clerk	2,880.00
19	Chief Inspector	4,000.00
20	Clerk Hire	15,120.00
21	Extra Clerk Hire	1,000.00
22	Salary, Deputy Inspectors	
23	Salaries of Adjusters	
24	Postage	3,000.00
25	Postage	2,000.00
26	Furniture and Fixtures	
27	Printing	3,600.00
28	Miscellaneous	2,500.00
29	Travel Expense	4,000.00
30	Annual Audit	4,000.00
31	Auditors and Assessors Listing Fees	15,000.00
32	Travel for Inspectors and Adjusters	15,000.00
33	Advertising	1,000.00
34	Legal Publication	400.00
35	Emergency Fund	60,000.00
0.0	m. + 1	100 000 00

Total.....\$188,290.00 36 And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 225 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 248, have had the same under consideration and recommend that the same be amended as follows:

In line 3 after the word "of" strike out the balance of the sentence.

Strike out all of line 4 and that portion of line 5 to and including the figure "(\$197,161.74)", and insert in lieu thereof the following: "one hundred and eighty-seven thousand four hundred and sixty-one dollars, and seventy-four cents (\$187,-461.74)".

In line 9 strike out the figure "\$32,500.00" and insert in lieu thereof the figure "\$28,000.00". In line 10 strike out the figure "\$4,000.00" and insert in

lieu thereof the figure "\$2,000.00".

In line 11 strike out the figure "\$1,300.00" and insert in lieu thereof the figure "\$800.00".

In line 12 strike out the figure "\$1,300.00" and insert in lieu thereof the figure "\$600.00".

Following line 13 insert a new line and the following: "Fire School" and the figure "\$3,000.00". In line 14 strike out the figure "\$11,000.00" and insert in lieu thereof the figure "\$7,000.00".

Strike out all of line 16.

In line 17 strike out the figure "\$55,600.00" and insert in lieu thereof the figure "\$45.900.00".

Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 248 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 6, after the word "Treasury," strike out the comma and insert the following language: "to the credit of each department, subdivision and public schools herein-after named and the balance necessary out of the General Fund, except as hereinafter specifically provided."

In line 19, strike out the word "Stenographer" and insert in lieu thereof the word "Secretary."

In line 20, strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$9,120.00."

In line 21, strike out the figures "\$850.00" and insert in lieu thereof the figures "\$1,200.00." In line 22, strike out the figures "\$350.00" and insert in lieu thereof the figures "\$800.00."

In line 23, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$500.00."

In line 24, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$1,200.00."

In line 26, strike out the figures "\$2,000.00" and insert in

lieu thereof the figures "\$3,000.00." In line 27, strike out the figures "\$2,000.00." and insert in lieu thereof the figures "\$10,000.00." In line 30, strike out the figures "\$27,600.00" and insert in

lieu thereof the figures "\$40,220.00."

In line 67, strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$4,200.00."

In line 72, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,400.00."

In line 73, strike out the figures "\$800.00" and insert in lieu thereof the figures "\$400.00." In line 74, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$300.00."

In line 75, strike out the figures "\$3,000.00." and insert in lieu thereof the figures "\$1,800.00."

In line 76, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$700.00."

After line 76, insert a new line numbered 761/2, "Deficit-Legal" and insert the figures "\$300.00."

In line 78, strike out the figures "\$29,224.00" and insert in lieu thereof the figures "\$27,340.00." In line 93, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$600.00."

In line 94, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$300.00."

In line 95, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$500.00."

In line 96, strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$1,400.00."

In line 99, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$600.00."

In line 100, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

In line 101, strike out the figures "\$1,400.00" and insert in lieu thereof the figures "\$800.00."

In line 106, strike out the words "Special clerk" and insert in lieu thereof the word "Deputy" and strike out the figures "\$4,480.00" and insert in lieu thereof the figures "\$4,800.00."

In line 124a, strike out the figures "\$51,416.72" and insert in lieu thereof the figures "\$51,730.72."

In line 129, strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$4,200.00."

In line 135, strike out the figures "\$4,680.00" and insert in lieu thereof the figures "\$4,800.00."

In line 137, strike out the figures "\$2,160.00" and insert in lieu thereof the figures "\$2,280.00."

In line 138, strike out the figures "\$756.16" and insert in lieu thereof the figures "\$2,756.16."

In line 141, after the word "fixtures" insert the words "Available July 1, 1939" and strike out the figures "\$2,150.00" and insert in lieu thereof the figures "\$2,500.00."

In line 144, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

In line 151, strike out the figures "\$290.00" and insert in lieu thereof the figures "\$356.00."

In line 152, strike out the figures "\$46,445.16" and insert in lieu thereof the figures "\$49,517.16."

In line 157, strike out the figures "\$3,584.00" and insert in lieu thereof the figures \$4,200.00."

In line 158, strike out the figures "\$4,440.00" and insert in lieu thereof the figures "\$6,000.00."

In line 159, strike out the figures "\$2,069.76." and insert in lieu thereof the figures "\$3,000.00."

In line 160, strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$2,520.00."

In line 162, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$800.00."

In line 165, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

In line 166, strike out the figures "\$750.00" and insert in lieu thereof the figures "\$500.00."

In line 167, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,000.00."

In line 169, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$1,000.00."

In line 170, strike out the figures "\$32,573.76" and insert in lieu thereof the figures "\$30,070.00."

In line 174, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,400.00."

In line 175, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$200.00."

In line 176, strike out the figures "\$200.00" and insert in lieu thereof the figures "\$100.00."

In line 177, strike out the figures "\$200.00" and insert in lieu thereof the figures "\$100.00."

In line 178, strike out the figures "\$275.00" and insert in lieu thereof the figures "\$150.00."

In line 179, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$250.00."

In line 180, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$2,000.00."

In line 182, strike out the figures "\$5,400.00" and insert in lieu thereof the figures "\$1,000.00."

Strike out all of line 184.

In line 187, strike out the figures "\$21,325.00" and insert in lieu thereof the figures "\$11,050.00."

In line 192, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,000.00."

In line 193, strike out the figures "\$750.00" and insert in lieu thereof the figures "\$500.00."

In line 197, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,000.00."

In line 201, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00."

In line 202, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$4,000.00."

In line 203, strike out the figures "\$53,840.00" and insert in lieu thereof the figures "\$51,190.00."

Following sub-division 10, insert a new sub-division to read as follows:

ATTORNEY GENERAL (SPECIAL) LICENSING DEPARTMENT

There is also hereby appropriated out of any fees in the State Treasury to the credit of the Attorney General and resulting from the collection of license fees as provided by law, for the biennium commencing July 1, 1939, and ending June 30, 1941, the following sum for the following purposes, to-wit:

Inspector\$	3,600
Deputy Inspectors	6,000
Chief Clerk	2,640
Travel	5,000
Postage	500
Printing	500
Miscellaneous	500

Total\$ 18,740

In line 208 strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$4,200.00".

In line 209 strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$2,400.00".

In line 210 strike out the figures "\$7,200.00" and insert in lieu thereof the figures "\$8,000.00".

In line 211 strike out the figures "\$2,400.00" and insert in lieu thereof the figures "\$800.00".

In line 212 strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,000.00".

In line 213 strike out the figures "\$800.00" and insert in lieu thereof the figures "\$600.00".

In line 214 strike out the figures "\$500.00" and insert in lieu thereof the figures "\$400.00".

In line 215 strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$12,000".

In line 217 strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00".

In line 218 strike out the figures "\$41,664.00" and insert in lieu thereof the figures "\$37,300.00".

Following sub-division 11a insert a new sub-division to read as follows:

ead as follows:	0525.000
218a DEPARTMENT OF PUBLIC INSTRUCTION	
218b ADMINISTRATION OF STATE EQUALIZA	ATION
218c FUND	
218d Salary—Director and Budget Auditor	\$ 3,600
18e Clerks and Stenographers	
218f Printing	1,000
18g Postage	300
18h Travel	200
18i Total	\$ 9 900
In line 222 strike out the figures "\$3,400.00" and in	sert in
ieu thereof the figures "\$3.600.00".	
In line 223 strike out the figures "\$2,280.00" and in	sert in
ieu thereof the figures "\$2,400.00".	
ieu thereof the figures "\$2,400.00". In line 224 strike out the figures "\$1,600.00" and in	sert in
ieu thereof the figures "\$1,200,00".	
In line 225 strike out the figures "\$15,700.00" and in	sert in
ieu thereof the figures "\$14,000.00".	
Strike out all of line 226.	
In line 229 strike out the figures "\$2,000.00" and in	sert in
ieu thereof the figures "\$1,000.00".	1.11
In line 230 strike out the figures "\$50,580.00" and in	sert in
ieu thereof the figures "\$46,200.00".	
In line 234 strike out the figures "\$3,840.00" and in	sert in
ieu thereof the figures "\$3,000.00".	
In line 236 strike out the figures "\$3,000.00" and in	sert in
ieu thereof the figures "\$2,400.00".	
Strike out all of line 238.	
In line 240 strike out the figures "\$1,200.00" and in	sert in
ieu thereof the figures "\$800.00.	
In line 241 strike out the figures "\$1,200.00" and in	sert in
ieu thereof the figures "\$800.00".	
In line 242 strike out the figures "\$800.00" and in	sert in
ieu thereof the figures "\$500.00".	
In line 243 strike out the figures "\$1,600.00" and in	sert in
ieu thereof the figures "\$1,200.00".	
In line 244 strike out the figures "\$17,480.00" and	insert
n lieu thereof the figures "\$12,220.00".	
In line 249 strike out the figures "\$3,584.00" and in	sert in
ieu thereof the figures "\$4,200.00".	
In line 240a strike out the figures "\$2,620.80" and in	sert in
ieu thereof the figures "\$3,000.00".	
In line 242a strike out the figures "\$1 000 00" and in	ant in

In line 242a strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

In line 243a strike out the figures "\$700.00" and insert in lieu thereof the figures "\$500.00".

In line 245a strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$1,000.00".

In line 247a strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00".

In line 249a strike out the figures "\$150.00" and insert in lieu thereof the figures "\$250.00".

Strike out all of line 250.

In line 251a strike out the figures "\$24,134.80" and insert in lieu thereof the figures "\$22,730.00".

In line 255 strike out the figures "\$3,000.00" and insert in

lieu thereof the figures "\$2,500.00". In line 256 strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

In line 267 strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,000.00".

In line 268 strike out the figures "\$400.00" and insert in lieu thereof the figures "\$250.00".

In line 269 strike out the figures "\$400.00" and insert in lieu thereof the figures "\$300.00".

In line 270 strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00". In line 271 strike out the figures "\$400.00" and insert in

lieu thereof the figures "\$250.00". In line 272 strike out the figures "\$12,000.00" and insert in

lieu thereof the figures "\$10,000.00".

In line 273 strike out the figures "\$500.00" and insert in lieu thereof the figures "\$400.00".

In line 274 strike out the figures "\$100.00" and insert in lieu thereof the figures "\$150.00".

In line 277 strike out the figures "\$41,830.00" and insert in lieu thereof the figures "\$37,880.00". Strike out all of lines 283, 284, 285, 286, 287, 288, 289, 290

and 291.

In line 298 strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$3,000.00".

In line 306 strike out the figures "\$60.00" and insert in lieu thereof the figures "\$90.00".

In line 307 strike out the figures "\$9,030.00" and insert in lieu thereof the figures "\$10,560.00".

In line 312 strike out the figures "\$3,580.00" and insert in lieu thereof the figures "\$3,600.00".

In line 315 strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$4,000.00".

In line 318 strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$3,600.00". In line 320 strike out the figures "\$3,584.00" and insert in

lieu thereof the figures "\$3,600.00".

In line 323 strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00".

In line 324 strike out the figures "\$800.00" and insert in lieu thereof the figures "\$500.00".

In line 333 strike out the figures "\$91,052.00" and insert in lieu thereof the figures "\$90,720.00".

In line 337 strike out the figures "\$3,800.00" and insert in lieu thereof the figures "\$4,400.00".

In line 338 strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$3,200.00".

In line 340 strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$600.00".

In line 341 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$250.00".

In line 342 strike out the figures "\$375.00" and insert in lieu thereof the figures "\$300.00".

In line 343 strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00".

In line 346 strike out the figures "\$18,035.00" and insert in lieu thereof the figures "\$18,110.00".

In line 359 strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,200.00".

In line 361 strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,500.00".

In line 364 strike out the figures "\$65,922.00" and insert in lieu thereof the figures "\$65,322.00".

In line 372 strike out the figures "\$1,100.00" and insert in lieu thereof the figures "\$1,000.00".

In line 373 strike out the figures "\$475.00" and insert in lieu thereof the figures "\$400.00".

In line 377 strike out the figures "\$850.00" and insert in lieu thereof the figures "\$800.00".

In line 379 strike out the figures "\$800.00" and insert in lieu thereof the figures "\$600.00".

In line 382 strike out the figures "\$34,744.00" and insert in lieu thereof the figures "\$34,319.00".

In line 388 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$250.00".

In line 389 strike out the figures "\$100.00" and insert in lieu thereof the figures "\$50.00".

In line 390 strike out the figures "\$175.00" and insert in lieu thereof the figures "\$100.00".

In line 392 strike out the figures "\$150.00" and insert in lieu thereof the figures "\$100.00".

In line 395 strike out the figures "\$7,213.00" and insert in lieu thereof the figures "\$6,988.00".

Strike out all of lines 396, 397 and 398.

In line 401 strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$5,400.00."

In line 403 strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$4,200.00."

In line 404 strike out the figures "\$3,072.00" and insert in lieu thereof the figures "\$3,600.00."

In line 409 strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$2,400.00."

In line 412 strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$2,400.00."

In line 414 strike out the figures "\$5,760.00" and insert in lieu thereof the figures "\$10,000.00."

In line 415 strike out the figures "\$1,920.00" and insert in lieu thereof the figures "\$2,160.00."

In line 419 strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$2,000.00."

In line 423 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$600.00."

In line 424 after the word "supervision" insert "at \$125.00 per month and expenses" and strike out the figures "\$10,-000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 427 strike out the figures "\$74,504.00" and insert in lieu thereof the figures "\$86,768.00."

In line 430 strike out the figures "\$5,600.00" and insert in lieu thereof the figures "\$6,000.00."

In line 432 strike out the figures "\$5,400.00" and insert in lieu thereof the figures "\$5,600.00."

In line 436 strike out the figures "\$14,400.00" and insert in lieu thereof the figures "\$4,000.00." In line 439 after the word "fixtures" insert the following: "Available July 1, 1939."

In line 440 strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$10,000.00."

In line 442 strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

In line 443 strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$3,000.00."

In line 445 strike out the figures "\$10,220.00" and insert in lieu thereof the figures "\$87,420.00."

In line 450 strike out the figures "\$60,000.00" and insert in lieu thereof the figures "\$50,000.00."

In line 451 strike out the figures "\$35,000.00" and insert in lieu thereof the figures "\$25,000.00."

In line 453 strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$2,500.00."

In line 454 after the word "fixtures" insert "Available July 1, 1939" and strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

In line 457 strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$25,000.00."

In line 457a strike out the figures "\$154,300.00" and insert in lieu thereof the figures "\$126,300.00." Strike out all of lines 458, 459, 459a, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469 and 470.

In 472 after the word "BEER" insert a comma (,) and the following: "CIGARETTE AND SNUFF DIVISION."

In line 474 strike out the figures "\$18,000.00" and insert in lieu thereof the figures "\$25,000.00."

In line 475 strike out the figures "\$35,000.00" and insert in lieu thereof the figures "\$18,000.00."

In line 476 strike out the figures "\$38,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 477 strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 478 strike out the figures "\$12,500.00" and insert in lieu thereof the figures "\$15,500."

In line 479 strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$2,500.00."

In line 482 strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$5,000.00."

In line 483 strike out the figures "\$1,400.00" and insert in lieu thereof the figures "\$2,000.00."

In line 484 strike out the figures "\$127,700.00." and insert in lieu thereof the figures "\$98,800.00." Strike out all of line 491.

In line 492 strike out the figures "\$3,980.00" and insert in lieu thereof the figures "\$4,000.00."

In line 493 strike out out the figures "\$2,160.00" and insert in lieu thereof the figures "\$2,400.00."

In line 496 strike out the figures "\$1,920.00" and insert in lieu thereof the figures "\$2,000.00."

In line 500 strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,000.00."

In line 502 strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$4,000.00."

In line 504 strike out the figures "\$63,576.00" and insert in lieu thereof the figures "\$62,056.00." Strike out all of lines 507, 508, 509, 510, 511, 512, 513 and 514 and insert in lieu thereof the following:

83,000.00
15,000.00
12,000.00
2,000.00
2,000.00
7,500.00
750.00
3,000.00
750.00
2,500.00
4,000.00
5,280.00
0,200.00
8,500.00
2,500.00

Total.....\$148,780.00

Strike out all of lines, 517, 518, 519, 520 and 521 and insert the following:

Deputy Seed Commissioner	4,800.00
Seed Analyst	4,000.00
Travel, including Maintenance of State	
Owned Automobiles	1,000.00
Postage	700.00
Stationery, Printing and Supplies	500.00
Telephone and Telegraph	500.00
Freight and Express	500.00
Workmen's Compensation	1,000.00

Total\$13,000.00

There is also hereby appropriated from any funds in the State Treasury to the credit of the State Seed Department at Fargo, arising from any unexpended balance which may remain on June 30, 1939, or from any fees which may be paid into said Treasury by said Department for the biennium commencing July_{*} 1, 1939, and ending June 30, 1941, the following sums for the following purposes, to-wit:

owing sums for the ronowing purposes, to	
Administration\$	7,200.00
Deputy Seed Commissioner	4,800.00
Deputy Seed Commissioner	4,800.00
Seed Analyst Assistant	2,400.00
Secretary-Treasurer	3,000.00
Secretary Potato Division	2,400.00
Stenographer	1,800.00
Field Supervising Inspector	3,600.00
Field Supervising Inspector	3,600.00
25 to 40 Grade Inspectors, Laboratory, fice, greenhouse and field assistants	of-
on part time or car basis Travel, including maintenance of State-	40,000.00
owned automobiles	20,000.00
Postage	985.00
Test Plots, including fertilizer, rent and	
miscellaneous	5,900.00
Furniture, Fixtures and Equipment	1,000.00

Stationery, Printing and Supplies	3,500.00
Telephone and Telegraph	1,085.00
Freight and Express	700.00
Tags and Seals.	9,000.00
Bureau of Agricultural Economics (Under Federal-State Inspection Co-operative	
Agreement)	5,000.00
Workmen's Compensation	1,000.00
Automobiles (Less trade-ins)	1,000.00
Miscellaneous (Including Reserve)	5,000.00

.....\$127,770.00

Total In line 524, strike out the figures" \$3,584.00" and insert in lieu thereof the figures "\$2,000.00."

In line 527, strike out the figures "\$175.00" and insert in lieu thereof the figures "\$100.00."

Strike out all of line 528.

In line 529, strike out the figures "\$200.00" and insert in lieu thereof the figures "\$100.00."

In line 530, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$150.00."

In line 531, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$300.00."

In line 532, strike out the figures "\$5,559.00" and insert in lieu thereof the figures "\$3,450.00."

In line 535, strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$1,140.00."

In line 536, strike out the figures "\$150.00" and insert in lieu thereof the figures "\$100.00." Strike out all of line 538.

In line 539, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$150.00."

In line 540, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

In line 541, strike out the figures "\$3,280.00" and insert in lieu thereof the figures "\$1,665.00."

In line 564, strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$4,800.00."

In line 567, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

In line 570, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$200.00."

In line 571, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$1,000.00."

In line 573, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$3,000.00."

In line 574, strike out the figures "\$15,520.00" and insert

in lieu thereof the figures "\$12,920.00." In line 591, add an "s" to the word "Stenographer" and strike out the figures "\$2,280.00" and insert in lieu thereof the figures "\$4,560.00."

Strike out all of line 592.

In line 597, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$300.00."

In line 601, strike out the figures "\$16,592.00" and insert in lieu thereof the figures "\$16,492.00."

In line 610, strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$35,000.00."

In line 612, strike out the figures "\$114,500.00" and insert in lieu thereof the figures "\$119,500.00."

In line 632, strike out the figures "\$4,800.00" and insert in Lou thereof the figures "\$6,000.00."

In line 634, strike out the the figures "\$3,840.00" and insert in lieu thereof the figures "\$4,800.00."

In line 635, strike out the figures "\$29,260.80" and insert in lieu thereof the figures "\$40,000.00."

In line 636, strike out the figures "\$5,760.00" and insert in lieu thereof the figures "\$7,200.00."

In line 638, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$700.00."

In line 639, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$600.00."

In line 642, strike out the figures "\$18,000.00" and insert in lieu thereof the figures "\$25,000.00."

In line 643, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$750.00."

In line 644, strike out the figures "\$66,760.80" and insert in lieu thereof the figures "\$88,750.00."

In line 647, strike off the "s" on the word "Commissioners." After line 647, insert a new line to read "Executive Secretary and Auditor" and insert the figures "\$4,000.00."

In line 649, after the word "Clerk," insert "and Stenographer" and strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$2,400.00."

In line 650, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$600.00."

In line 652, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$1,000.00."

In line 655, strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 656, strike out the letter "s" on the word "Commissioners" and insert "and Executive Secretary," and strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,200.00."

In line 658, strike out the figures "\$48,000.00" and insert in lieu thereof the figures "\$48,700.00."

In line 659, strike out the figures "\$2,070,514.77" and insert in lieu thereof the figures "\$2,045,461.41."

In line 662, strike out the figures "\$538,559.00" and insert in lieu thereof the figures "\$505,659.00."

In line 663, strike out the figures "\$1,531,955.77" and insert in lieu thereof the figures "\$1,539,802.41."

Re-number all lines and sub-divisions in numerical order. In lines 661 and 662, correct figures to correspond with the numbers on special appropriations.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 1 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 277, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 245, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$845,262.65" and insert in lieu thereof the figures "\$1,459,053.75".

Strike out line 11 and all lines thereafter and insert the following:

	io wing		
11	1.	Foremen\$	50,000.00
12	2.	Office	9,000.00
13	3.	Salesman	3,000.00
14	Opera	ating Expense:	
15	1.	Insurance	17,000.00
16	2.	Freight	10,000.00
17	3.	Maintenance, Repairs, Sundry Sup-	
10		plies	10,000.00
18	4.	Inmates Labor	21,000.00
19		Fuel, Light and Water	12,000.00
20		Officers & Inmates Maintenance	50,000.00
21		Miscellaneous Office Expense	100.00
22		Telephone, Telegraph, Postage	400.00
23	9.	Stationery & Office Supplies	350.00
24		Freight Expense	25.00
25	11.	Advertising	500.00
26	12.	Traveling Expense	3,400.00
27	13.	Truck Expense	550.00
28	14.	Unmanufactured Hemp	600,000.00
29	15.	Stores	100,000.00
30	16.	Emergency for Purchase of Raw	250 000 00
31	17	Material Only	350,000.00 23,718.75
32		Accounts Payable Due Penitentiary	
		Bank Loans	177,000.00
33	19.	Interest	14,160.00
34		Repairs on Buildings	750.00
35	21.		2,700.00
36	22.		100.00
37		Trucks (Trade in)	700.00
38	24.	Miscellaneous Selling Expense	200.00
39	25.		400.00
40	26.	Sales Tax	1,000.00

\$1,459,053.75

And when so amended recommend the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 245 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 249, have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 3, strike out all of the line after the word "of" and in line 4 strike out the line to and including the figures "\$30,875.59", and in lieu thereof insert the follow-ing: "twenty-five thousand, five hundred and eighty-five dollars and fifty-nine cents (\$25,585.59)". Line 8, strike out the figures "\$9,000.00" and insert in lieu

thereof the figures "\$6,860.00".

Line 9, strike out the figures "\$1,800.00" and insert in lieu thereof the figures "\$1,000.00".

Line 13, strike out the figures "\$850.00" and insert in lieu thereof the figures "\$300.00".

Strike out all of line 15.

Line 16, strike out the figures "\$15,200.00" and insert in lieu thereof the figures "\$9,910.00".

Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 249 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 238, have had the same under consideration and recommend that the same be amended as follows:

Strike out the balance of line 6 after the words "sum of", all of line 6a, and that portion of line 7 to and including "(\$200,000.00)" and insert the following: "Two Hundred Four Thousand and No/100 (\$204,000.00)".

In line 17 after the word "Engineer" insert the following: "Not to exceed" and strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$12,000.00".

Following line 17 insert the following language: "Effective during present contract, after which not to exceed \$10,000.00".

In line 19 strike out the figures "\$200,000.00" and insert in lieu thereof the figures "\$204,000.00".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 238 be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 253, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 1 and all lines thereafter and insert the following: "Section 1, Appropriation. There is hereby appropriated out of any moneys in the State Treasury in the North Dakota Mill and Elevator Association Fund the sum of \$1,029,800.00, or so much thereof as may be necessary to pay the general maintenance, repairs, salaries, operating expenses, equipment and miscellaneous items, of the North Dakota Mill and Elevator Association for the biennium beginning July 1, 1939 and ending June 30, 1941, to-wit:

1	Manager\$	10,000
2	Plant Labor	375,000
3	Plant Maintenance and Repairs	65,000
4	Office Payroll, including local Ele-	
	vator and Salesmen	150,000
5	Printing and Supplies	15,000
6	Postage	6,500
7	Telephone and Telegraph	8,300
8	Plant and Salesmen Travel Expense.	60,000
9	Advertising	25,000
10	Fuel	120,000

1	1 Workmen's Compensation	10,000
1	2 Insurance	42,000
1	3 Laboratory Expense	4,000
1	4 Truck and Auto Expense	6,000
1	5 Truck and Auto Maintenance	3,000
1	6 Industrial and Commission Expense	3,000
1	7 Interest	30,000
1	8 Miscellaneous, Mill	17,000
1	9 Audit Fees	20,000
2	0 Sundry Expense, Terminal Elevator	10,000
2		50,000

Total\$1,029,800 Number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 253 be adopted and printed in the Journal without reading, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 21, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 43. 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.

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

House Bill No. 321. A Bill for an Act to Amend and Reenact Chapter 5-a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota by Inserting and Adding Thereto Section 10500a6a, Providing for Joint and Several Liability by More Than One Possible Father and Declaring an Emergency.

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected with Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

House Bill No. 249. A Bill for 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 and the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 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.

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

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House Bill No. 287. A Bill for an Act Defining, Licensing, Regulating the Practice of Naturopathy in the State of North Dakota; Creating a Board of Naturopathic Examiners to Examine and License Persons to Practice Naturopathy; Providing for the Enforcement of the Provisions of This Act and Prescribing Penalties for the Violation Thereof.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

House Bill No. 265. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and the North Dakota Durum Wheat Show at Langdon, N. Dak.; Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF SENATE CONCURRENT RESOLUTION

The Committee on Education introduced:

Senate Concurrent Resolution No. 282. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Was read the first time and referred to the Committee on Education.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Was read the first time and referred to the Committee on Military and Indian Affairs.

The Committee on Delayed Bills introduced:

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

The President announced that the Senate would return to the Eighth Order of Business.

FIRST READING OF SENATE RESOLUTIONS

Senate Resolution "D." A Resolution Making Provision for Funds to Force Collection of Taxes and Interest on Farm Loans, Farm Contracts and Farm Rental Contracts With the Land Department.

Senator Whelan moved that the rules be suspended and Senate Resolution "D" be placed on Second Reading and Final Passage, which motion prevailed.

Senator Whelan moved that Senate Resolution "D" be adopted, which motion prevailed.

The President announced that the Senate would return to the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 282, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred:

Senate Bill No. 283,

Have had the same under consideration and recommend that the same do pass.

J. L FLATT, Chairman.

Senator Flatt moved that the report be adopted, which

motion prevailed, and the report was adopted. Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 284.

Have had the same under consideration and recommend that the same be put on the calendar.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS Senate Bill No. 205. A Bill for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, 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, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Aasen	Hill	Olson, Mountrail
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten

TUESDAY, FEBRUARY 21, 1939

Fowler	Morgan	Watt
Greiser	Morrison	Whelan
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	
Those voting in	the negative were:	

Inose voting in	the negative were:	
Aandahl	Gilbertson	Raschko
Beaton	Guthrie	Wog
Fredrickson	Owings	U

Absent and not voting:

Bilden

Nelson, Grand Fks. Thorson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blaisdell moved that Senate Bill No. 156 be amended as follows:

In the title, line 3, after the word "Welfare", insert the words "and Repealing All Acts or Parts of Acts in Conflict Herewith", which motion prevailed.

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 156 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 156. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 221 of the Session Laws of North Dakota for the Year 1935 Relating to the State Board of Public Welfare, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 11; nays, 35; absent and not voting, 3.

Those voting in	the affirmative were:	
Aasen	Kamrath	Whelan
Blaisdell	Raschko	Wog
Flatt	Tweten	Young
Gilbertson	Watt	

Those voting in the negative were:

Aandahl	Guenther	Nelson, McKenzie
Beaton	Guthrie	Olson, McHenry
Blank	Hill	Olson, Mountrail
Brant	Holl	Owings
Bridston	Isaak	Skarvold
Braun	Lavik	Streibel
Dahl	Lemke	Stucke
Drew	Leum	Thatcher
Fowler	Lian	Торр
Fredrickson	Magoffin	Trout
Greiser	Morgan	Troxel
Gronvold	Morrison	

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson So the bill was declared lost.

Senator Morgan moved that the vote by which Senate Bill No. 156 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Aasen moved that Senate Bill No. 215 be amended as follows:

In line eleven after the word "within," insert the words "or without", which motion prevailed.

Senator Aasen moved that the rules be suspended and that Senate Bill No. 215 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and 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, 44; nays, 0; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:BildenKamrathHillNelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Aandahl	the affirmative were: Greiser	Owings
Aasen	Gronvold	Raschko
Beaton	Guenther	Skarvold
Blank	Guthrie	Streibel
Blaisdell	Holl	Stucke
Brant	Isaak	Thatcher
Bridston	Lavik	Topp
Braun	Lemke	Troxel
Dahl	Lian	Tweten
Drew	Morgan	Watt
Flatt	Morrison	Whelan
Fowler	Nelson, McKenzie	Wog
Fredrickson	Olson, McHenry	Young
Gilbertson	Olson, Mountrail	

Those voting in the negative were: Leum Magoffin Trout

Absent and not voting:ThorsonBildenKamrathThorsonHillNelson, Grand Fks.

So the bill passed and the title was agreed to.

The President announced that the Senate would return to the 5th Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 244, have had the same under consideration and recommend that the same be amended as follows:

In line 4, strike out the figures "\$624,948.00" and insert in lieu thereof the figures "\$608,848.00."

In line 12, strike out the figures "\$9,600.00" and insert in lieu thereof the figures "\$9,000.00."

In line 31, strike out the figures "\$10,000.00." and insert in lieu thereof the figures "\$9,000.00."

In line 35, strike out the figures "\$9,590.00" and insert in lieu thereof the figures "\$5,000.00."

In line 42, strike out the figures "\$246,632.00" and insert in lieu thereof the figures "\$238,532.00."

In line 44, strike out the figures "\$8,400.00" and insert in lieu thereof the figures "\$8,000.00."

In line 63, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 67, strike out the figures "\$35,000.00" and insert in lieu thereof the figures "\$30,000.00."

In line 68, strike out the figures "\$378,316.00" and insert in lieu thereof the figures "\$370,316.00."

In line 69, strike out the figures "\$625,948.00" and insert in lieu thereof the figures "\$608,848.00."

And when so amended, recommend the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 244 be adopted and printed in the Journal without reading, which motion prevailed.

The President announced that the Senate would return to the Eighth Order of Business. Senator Guthrie moved that Senate Bill No. 155 be withdrawn, which motion prevailed.

The President called Senator Braun to the Chair.

Senator Whelan moved that the Senate be on the Twelfth Order of Business for the First Reading of House Bills and that on the conclusion of the Twelfth Order, the Senate recess to the Call of the Chair, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

Was read the first time and referred to the Committee on Mines and Minerals.

House Bill No. 321. A Bill for an Act to Amend and Reenact Chapter 5-a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota by Inserting and Adding Thereto Section 10500a6a, Providing for Joint and Several Liability by More Than Cne Possible Father and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

Was read the first time and referred to the Committee on Banks and Banking.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 43. 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 Game and Fish.

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected with Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provisions of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 249. A Bill for 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 and the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 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 first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

House Bill No. 265. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and the North Dakota Durum Wheat Show at Langdon, N. Dak.; Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Bill No. 287. A Bill for an Act Defining, Licensing, Regulating the Practice of Naturopathy in the State of North Dakota; Creating a Board of Naturopathic Examiners to Examine and License Persons to Practice Naturopathy; Providing for the Enforcement of the Provisions of This Act and Prescribing Penalties for the Violation Thereof.

Was read the first time and referred to the Committee on State Affairs.

And the Senate stood recessed to the Call of the Chair, pursuant to the motion of Senator Whelan.

The President resumed the Chair.

The Senate re-convened at the Call of the Chair.

Senator Owings moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned. WM. J. LOWE, Secretary.

FIFTIETH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Rev. G. Adolph Johns.

Roll Call: All Senators present except Senators Bilden, Nelson of Grand Forks and Thorson.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-seventh day after recess and Forty-ninth day and recommends that the same be corrected as follows:

Page 505, line 9, change the word "Bills" to read "Concurrent Resolution" and after the word "and" insert the words "Senate Bill."

On page 514, line 15, change the words "Public Welfare" to "Appropriations."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 21, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 115. A Bill for an Act to Amend and Reenact Chapter 242, Session Laws of 1937, Relating to the Levying of a Tax for the Purpose of Paying Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Senate Bill No. 93. A Bill for an Act to Prohibit the Use of Certain Properties of the State of North Dakota and Its Political Sub-divisions in the Discharge of Private Business; Providing Penalties for the Violation Thereof; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Which the Senate has passed and your favorable consideration is requested.

Mr. Speaker: I have the honor to return:

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

The President announced receipt of the following communications:

A telegram from the Brotherhood of Railway Clerks, Jamestown Lodge No. 381, protesting Senate Bill No. 274, referred to the Committee on Education.

Resolutions from the North Dakota Federation of Nonpartisan Women's Clubs as follows: (a) Requesting recognition on the New Board of Education, which was referred to the Committee on Education; (b) Regarding the Old Age Assistance; and Requesting passage of House Bill No. 69, which were referred to the Committee on Public Welfare.

The President announced that the Senate would be on the Eighth Order of Business.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 242. A Bill for an Act to Re-establish the North Dakota Mill and Elevator Association and Define Its Powers and Duties; to Provide for the Establishment of a North Dakota Board of Industrial Management, Define Its Powers and Duties in Respect to the Management, Operation and Control of the Properties and Businesses of the North Dakota Mill and Elevator Association, 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, 31; nays, 13; absent and not voting, 5.

Those voting in th	e affirmative were:	
Aandahl	Gilbertson	Morrison
Aasen	Gronvold	Owings
Blank	Guenther	Raschko
Blaisdell	Guthrie	Topp
Brant	Hill	Trout
Bridston	Lavik	Troxel
Dahl	Leum	Watt
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Fredrickson		

Those voting in the negative were:

Braun	Nelson, McKenzie	Streibel
Greiser	Olson, McHenry	Stucke
Isaak	Olson, Mountrail	Thatcher
Kamrath	Skarvold	Tweten
Lemke		

Absent	and	not	voting:	
Beaton			Holl	Thorson
Bilden			Nelson, Grand Fks.	
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So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 242 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morrison: "Mr. President, I wish to explain my vote on this bill. I thoroughly agree with the remarks made by Senator Bridston. I think the Mill and Elevator should be under the supervision of somebody—of course I am in favor of another plan but in order to keep this bill alive, I am going to vote 'aye'."

MESSAGE FROM THE HOUSE

House of Representatives,

February 21, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendments to Senate Bill No. 35.

Mr. President: I have the honor to return:

Senate Bill No. 10. 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, as Provided for Under Chapter 137, Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith. Which the Senate has requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Blaisdell moved that Senate Bill No. 266 be indefinitely postponed.

Senator Owings demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Blaisdell that Senate Bill No. 266 be indefinitely postponed, there were 26 ayes; nays, 19; absent and not voting, 4.

Those voting in the	affirmative were:		
Aandahl	Fowler	Lian	
Aasen	Fredrickson	Magoffin	
Beaton	Gilbertson	Morgan	
Blaisdell	Gronvold	Skarvold	
Bridston	Guenther	Topp	
Braun	Guthrie	Watt	
Dahl	Hill	Whelan	
Drew	Lavik	Young	
Flatt	Leum		

Those voting in the negative were: Nelson, McKenzie Blank Stucke Olson, McHenry Olson, Mountrail Brant Thatcher Greiser Trout Isaak Owings Troxel Tweten Kamrath Raschko Lemke Streibel Wog Morrison

Absent and not voting: Bilden Nelson, Grand Fks. Thorson Holl

So the motion of Senator Blaisdell prevailed and Senate Bill No. 266 was declared indefinitely postponed.

Senator Blaisdell moved that the vote by which Senate Bill No. 266 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 214 be indefinitely postponed, which motion prevailed.

Senator Blaisdell moved that Senate Concurrent Resolution No. 209 be indefinitely postponed, which was declared lost.

Senator Blaisdell demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Blaisdell that Senate Concurrent Resolution No. 209 be indefinitely postponed, there were ayes, 25; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:AandahlFowlerLeum

Fredrickson

Gilbertson

Gronvold

Guenther

Guthrie

Hill

Lavik

Aasen Beaton Blaisdell Bridston Braun Dahl Drew Flatt Lian Magoffin Morgan Topp Watt Whelan Young

Those voting in	the negative were:	
Blank	Morrison	Streibel
Brant	Nelson, McKenzie	Stucke
Greiser	Olson, McHenry	Thatcher
Holl	Olson, Mountrail	Trout
Isaak	Owings	Troxel
Kamrath	Raschko	Tweten
Lemke	Skarvold	Wog

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson

So the motion of Senator Blaisdell prevailed.

Senator Blaisdell moved that the vote by which Senate Concurrent Resolution No. 209 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Olson from Mountrail: "Mr. President, I wish to explain my vote. It seems the farmer's friends have forgotten us today, therefore I vote 'no'."

Senator Fowler moved that the rules be suspended and the vote by which Senate Bill No. 10 was passed be reconsidered, which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 10 be indefinitely postponed, which motion prevailed.

Senator Raschko moved that Senate Bill No. 240 be amended as follows:

Amend the title by striking out the word "remaining" in the tenth line of the title, and at the end add the following: "and declaring an emergency."

In line 56 and Section 6 strike out the word "are" and insert in lieu thereof the word "is."

In line 67 and Section 7 strike out the word "purpose" and insert in lieu thereof "purposes."

In Section 8, beginning with line 89 and the word "provided" strike out the remaining part of line 89 and lines 90, 91, 92, 93 and the following words of line 94: "to be paid by the unorganized county.", and insert in lieu thereof the following: "Provided, however, that the elected officers of the organized county shall, for the services so to be rendered, receive from the unorganized county the sum of \$30 per annum for each one thousand (1,000) in population, or major fraction thereof, of the unorganized county."

Amend Section 9, line 109 by placing a period after the word "duties" and capitalizing the word "Anyone."

In line 110 insert after the word "shall" the word "also."

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In line 119 and Section 10 strike out all of line 119 and the words "first of January" of line 120 and insert in lieu thereof the following: "Within fifteen days."

In line 120, after the word "proclamation" add the following: "provided in Section 7 herein."

In line 132 strike out the word "five" and insert in lieu thereof "fifteen."

In Section 12 and line 174 strike out the word "organized" and insert in lieu thereof the word "unorganized."

In Section 12 and line 176 strike out the remaining part of the section including and following "All revenue" and insert in lieu thereof the following: "All moneys, funds, revenues, property and all benefits that shall accrue from any source whatever to the unorganized county before or after disorganization shall be held by such organized county as trustee, as aforesaid, and expended only for the benefit of the unorganized county. And all funds of the disorganized county shall be kept separate and apart from any funds of the organized county to which it is attached. The officers and employees of the organized county to which the disorgan-ized county is attached shall be automatically bonded in the state bonding fund as provided by law, for the benefit of the disorganized county in an amount for which the corresponding officers of the disorganized county would be required by law to be bonded if the county were not disorganized. The premium for such bonds shall be charged against the disorganized county. The condition of such bond shall be that such officer or employee as principal shall faithfully and impartially discharge and perform the duties of his said office or employment relating to said disorganized county, including such duties as are or may be imposed upon him by law, and shall render a true account of all moneys and property of every kind that shall come into his hands as such officer or employee and pay over and deliver the same according to law."

In Section 14 and line 186 strike out the word "the" and insert in lieu thereof the word "such," and after the word "held" insert the following: ",but,".

In Section 14 and line 189 strike out the words "determine and certify the legality" and the words "of such petition" of line 190 and insert in lieu thereof "notify the State Examiner."

Strike out the word "shall" of line 190 and all of lines 191, 192, 193 and 194, and insert in lieu thereof the following: "in addition thereto shall certify thereon that said petition contains more than fifty per cent (50%) of such qualified electors and shall transfer and file the same so certified with the clerk of the district court of such county within ten (10) days of the date of filing of the petition."

In section 15 line 198 insert the word "said" before the word "clerk."

In section 16 line 202 insert the word "and" after the word "petition."

In section 16 line 218 strike out the figure "30" and insert in lieu thereof the figure "20."

In section 19 line 252, strike out the word "do" and insert in lieu thereof "de." In section 21 line 269 strike out the word "the" and in lieu thereof insert the word "such."

In line 271, change the word "proceeding" to "proceedings." Add to the bill Section 24 to read as follows: "This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

Senator Guthrie moved that Senate Bill No. 240 be placed at the foot of the calendar, which motion prevailed.

Senator Trout moved that Senate Bill No. 179 be amended as follows:

On page 1, Section 1, in line 5, strike out the words "shall be" and insert in lieu thereof the word "unless."

In line 81, after the word "affixed," add the following: "by the wholesaler."

On page 5, Section 6, line 87, strike out the words and the figures "ten cents (10c)" and insert in lieu thereof the words and figures "fifteen cents (15c)."

On page 5, Section 6, and line 89, after the word "holes," insert the following; "or fraction thereof." In line 89, strike out the words and figures "ten cents (10c)" and insert in lieu thereof the words and figures "fifteen cents (15c)."

In line 90, after the word "holes," insert the following: "or fraction thereof."

In line 93, strike out the words and figures "twenty cents (20c)" and insert in lieu thereof the words and figures "thirty cents (30c)."

In line 94, after the word "holes," insert the following: "or fraction thereof."

In line 97, after the word "holes," strike out the period and add the following: "or fraction thereof."

Which motion prevailed.

Senator Trout moved that the rules be suspended and that Senate Bill No. 179 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 179. A Bill for an Act Licensing the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards; Providing for Certain License Fees and for Certain Taxes Thereon; for the Disposition of Monies Obtained Thereunder; Prohibiting the Sale and Use of Punch Boards, Tip Boards, Tip Jars, Pull Boards and Push Boards Not Duly Stamped; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; Providing for a Saving Clause; 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, 27; nays, 16; absent and not voting, 6.

Those voting in the affirmative were:

Aasen	Fredrickson	Olson, McHenry
Beaton	Gilbertson	Owings

TUESDAY, FEBRUARY 21, 1939

Blank	Guenther	Skarvold
Brant	Isaak	Streibel
Braun	Lian	Thatcher
Bridston	Magoffin	Topp
Dahl	Morgan	Trout
Drew	Morrison	Tweten
Flatt	Nelson, McKenzie	Wog

Those voting in the negative were:

Aandahl	Kamrath	Stucke
Blaisdell	Lavik	Troxel
Fowler	Lemke	Watt
Gronvold	Leum	Whelan
Guthrie	Olson, Mountrail	Young
Holl		•

Absent and no	t voting:	
Bilden	Hill	Raschko
Greiser	Nelson, Grand Fks.	Thorson

So the bill passed and the title was agreed to and the emergency was declared lost.

Senator Trout 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.

Senator Bridston: "Mr. President, I want to explain my vote. I can't possibly see where there is any public sentiment against punchboards, and as a result they are much in evidence. Children play them. Law enforcement officers take no interest because there is no public interest. Under this law the state will receive a revenue and the use of punchboards will be regulated, therefore I vote 'aye'."

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles 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, as amended, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

THOSE .	oung m	une allimative wer	U .
Aasen		Guthrie	Skarvold
Beaton		Hill	Streibel
Blank		Holl	Stucke
Blaisdel	1	Lavik	Thatcher
Brant		Lemke	Topp
Bridston	1	Leum	Trout
Drew		Magoffin	Troxel
Fowler		Morgan	Watt
Fredric	kson	Morrison	Whelan
Gilberts	on	Owings	Wog
Gronvol	d	Raschko	Young
Guenthe	r		

Those voting in the negative were: Aandahl Kamrath

Olson, McHenry

Braun	Lian		Olson, Mountrail
Dahl	Nelson,	McKenzie	Tweten
Isaak	and a set of the		

Absent and not voting:

Bilden Greiser Thorson Flatt Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senator Fredrickson moved that Senate Bill No. 157 be amended as follows:

In line 66, after the word "express," strike out the words "or implied," which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 157 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed

Senate Bill No. 157. A Bill for an Act Relating to Civil Liability of Owners and Operators of Motor Vehicles, Service of Civil Process on Non-residents and Requirement That Owners of For-rent Vehicles Give Proof of Financial Responsibility 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, as amended, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative w	were:
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Aasen	Gilbertson	Olson, McHenry
Beaton	Gronvold	Owings
Blank	Guenther	Raschko
Blaisdell	Hill	Skarvold
Brant	Holl	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Troxel
Dahl	Leum	Watt
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Fredrickson	Morrison	

Those voting in the negative were:AandahlNelson, McKenzieToppIsaakOlson, MountrailTwetenKamrathStreibel

Absent and not voting:

Bilden	Guthrie	Thorson
Greiser	Nelson, Grand Fks.	Trout
So the bill passe	ed and the title was agr	eed to.

Senator Bridston moved that Senate Bill No. 168 be amended as follows:

Add the following words, after line 83: "All bidders and contractor's bonds hereinafter submitted with any public works construction or improvement by the State of North Dakota or any governmental subdivisions hereinbefore

described shall be approved by the Attorney General as to form and by the Insurance Commissioner as to sufficiency," which motion prevailed.

Senator Bridston moved that the rules be suspended and that Senate Bill No. 168 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 168. A Bill for an Act Relating to the Furnishing of Certified Checks or Bidder's Bonds by Contractors Submitting Proposals for the Construction of Public Improvements; 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, 45; nays, 0; absent and not voting, 4.

	the affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Blaisdell	Hill	Raschko
Blank	Holl	Skarvold
Brant	Isaak	Streibel
Braun	Kamrath	Thatcher
Bridston	Lavik	Topp
Dahl	Lemke	Trout
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Gilbertson	Morrison	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting: Bilden Stucke

Thorson

Nelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

MESSAGE FROM THE HOUSE

House of Representatives.

Bismarck, February 21, 1939.

Mr. President: I have the honor to transmit: House Concurrent Resolution No. 391. A Concurrent Reso-lution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz.

Which the Speaker has signed and your signature is respect-

fully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that Senate Bill No. 280 be placed at the head of the calendar.

Senator Olson of Mountrail made a substitute motion that Senate Bill No. 280 be indefinitely postponed.

Senator Fowler demanded a roll call, which was granted.

ROLL CALL

The question being on Senator Olson's motion to indefin-

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itely postpone Senate Bill No. 280, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in	n the affirmative were:	
Beaton	Isaak	Skarvold
Blank	Kamrath	Streibel
Brant	Lemke	Stucke
Braun	Morrison	Thatcher
Dahl	Nelson, McKenzie	Trout
Greiser	Olson, McHenry	Troxel
Hill	Olson, Mountrail	Tweten
Holl	Owings	Wog

Guenther

Guthrie

Lavik

Leum

Lian

Those voting in the negative were: Aandahl Gilbertson Gronvold Aasen

Magoffin Morgan Raschko Topp Watt Whelan Young

Absent and not voting: Bilden

Nelson, Grand Fks. Thorson

So the motion of Senator Olson of Mountrail prevailed and Senate Bill No. 280 was declared indefinitely postponed.

Senator Owings moved that the vote by which Senate Bill No. 280 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All 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, 43; nays, 2; absent and not voting, 4.

Those voting in th	e affirmative were:	
Aandahl	Hill	Owings
Beaton	Holl	Raschko
Blank	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Stucke
Braun	Lemke	Thatcher
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog

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Blaisdell

Bridston

Drew

Flatt

Fowler

Fredrickson

Guenther Guthrie

Olson, Mountrail Young

Those voting in the negative were: Aasen Gronvold

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson Blaisdell

So the bill passed and the title was agreed to. And the Emergency Clause was declared carried.

Senator Fredrickson moved that Senate Bill No. 158 be amended as follows:

In line 58, correct the spelling of the word "injury" which now reads "jury," which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 158 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 163 of the Session Laws of the State of North Dakota for the Year 1929, Being an Act to Require Persons Convicted of Reckless Driving, or of Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs, or of Failure to Stop in Event of an Accident Involving Injury or Death to a Person, to Furnish a Bond or Insurance Policy; Providing for the Enforcement of Such Act; and Providing a Penalty for the Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

e affirmative were: Guenther Guthrie Hill	Olson, Mountrail Owings
	Owings
Hill	Deschles
	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Topp
Leum	Trout
Lian	Troxel
Magoffin	Tweten
Morgan	Watt
Morrison	Whelan
Nelson, McKenzie	Wog
Olson, McHenry	Young
	Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, McKenzie

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson

So the bill passed and the title was agreed to.

Senator Drew moved that Senate Bill No. 261 be amended as follows: In line 4 of the title, strike out the period after the word "lands," and insert a period and the following words "and Declaring an Emergency," which motion prevailed.

Senator Drew moved that the rules be suspended and that Senate Bill No. 261 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Braun	Lavik	Thatcher
Bridston	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	That she was set .	

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senate Bill No. 210. A Bill for an Act to Provide for the Manner of Sale and of Leasing Lands Owned by the State and Acquired Through Foreclosure of Mortgages Given the Bank of North Dakota or by Deed Given in Lieu of Foreclosure, Making the Boards of Township Supervisors of the Various Townships the Agents of the State for Such Purpose, Fixing the Fees and Expenses of the Township Supervisors for Such Services; Repealing All Acts and Parts of 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, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were: Aasen Holl Olson,

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Olson, Mountrail

Beaton	Kamrath	Raschko
Brant	Lavik	Skarvold
Bridston	Lemke	Topp
Drew	Magoffin	Trout
Flatt	Nelson, McKenzie	Troxel
Gilbertson Hill	Olson, McHenry	Tweten
Those voting in	the negative were:	Indiad

Aandani	Gronvold	Owings
Blank	Guenther	Streibel
Blaisdell	Guthrie	Stucke
Braun	Isaak	Thatcher
Dahl	Leum	Watt
Fowler	Lian	Whelan
Fredrickson	Morgan	Wog
Greiser	Morrison	Young

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson So the bill was declared lost.

Senate Bill No. 252. A Bill for an Act to Repeal Section 8 of Chapter 125 of the 1933 Session Laws Relating to Duties of State Highway Commissioner and to Dispense With the Necessity of Filing Monthly With the State Auditing Board an Itemized Statement of Materials Sold or Purchased.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 16; absent and not voting, 3.

Those voting in th	e affirmative were:	
Aandahl	Fowler	Lian
Aasen	Fredrickson	Magoffin
Beaton	Greiser	Morgan
Blaisdell	Gronvold	Morrison
Brant	Guenther	Nelson, McKenzie
Bridston	Guthrie	Торр
Braun	Holl	Watt
Dahl	Kamrath	Whelan
Drew	Lavik	Wog
Flatt	Leum	Young
Those voting in th	ne negative were:	
Blank	Olson, Mountrail	Stucke
Gilbertson	Owings	Thatcher
Hill	Raschko	Trout
Isaak	Skarvold	Troxel
Lemke	Streibel	Tweten

Olson, McHenry

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson So the bill passed and the title was agreed to.

Senator Blaisdell moved that the vote by which Senate Bill

No. 252 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

Senate Bill No. 270. A Bill for an Act Providing That the Furnishing of Transportation or Its Equivalent to School Children Shall Be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws 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, 36; nays, 10; absent and not voting, 3.

Those voting in th	e affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Owings
Blank	Guthrie	Raschko
Blaisdell	Hill	Skarvold
Brant	Isaak	Streibel
Bridston	Lavik	Thatcher
Braun	Lemke	Торр
Dahl	Leum	Tweten
Drew	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Wog
Gilbertson	Nelson, McKenzie	Young
Those voting in th	e negative were:	
-	77 11	CL 1

Beaton	Kamrath	Stucke
Flatt	Morrison	Trout
Greiser	Olson, Mountrail	Troxel
Holl		

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson So the bill passed and the title was agreed to.

Senate Bill No. 268. A Bill for an Act to Amend and Reenact Section 1498 of the Compiled Laws of 1913, Relating to the Records of the Teachers' Insurance and Retirement Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Those voting in th	le allimative were.	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Troxel

Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Bilden Nelson, Grand Fks. Thorson Fredrickson

So the bill passed and the title was agreed to.

Senate Bill No. 264. A Bill for an Act to Amend and Reenact Sections 2079b1, 2079b4, and 2079b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Certificates of Indebtedness and Warrants; Providing for the Issuance of Deferred Payment Warrants; and Repealing Section 2079b13 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and as Amended and Re-enacted by Chapter 283 of the Session Laws of 1935, and All Laws or Parts of Laws 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, 12; nays, 34; absent and not voting, 3.

Those voting in t	he affirmative were:	
Aasen	Guthrie	Topp
Fowler	Lavik	Tweten
Fredrickson	Leum	Watt
Gronvold	Morgan	Whelan
Those voting in	the negative were:	
Aandahl	Guenther	Olson, Mountrail
Beaton	Hill	Owings
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Brant	Kamrath	Streibel
Braun	Lemke	Stucke
Bridston	Lian	Thatcher
Dahl	Magoffin	Trout
Drew	Morrison	Troxel
Flatt	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser		

Absent and not voting were: Bilden Nelson, Grand Fks. Thorson

So the bill was declared lost.

Senator Morrison moved that the vote by which Senate Bill No. 264 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 278. A Bill for an Act Relating to the

Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; 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 roli was called and there were ayes, 31; nays, 13; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Gilbertson	Morgan
Aasen	Gronvold	Owings
Beaton	Guenther	Raschko
Blank	Guthrie	Streibel
Brant	Hill	Topp
Bridston	Isaak	Troxel
Braun	Lavik	Watt
Dahl	Leum	Whelan
Drew	Lian	Wog
Fowler	Magoffin	Young
Fredrickson		

Those voting in	the negative were:	
Greiser	Nelson, McKenzie	Stucke
Holl	Olson, McHenry	Thatcher
Kamrath	Olson, Mountrail	Trout
Lemke	Skarvold	Tweten
Morrison		

Absent and not voting: Bilden Flatt Thorson Blaisdell Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Blank	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Dahl	Lemke	Topp
Drew	Leum	Trout
Flatt	Lian	Troxel
Fowler	Magoffin	Tweten
Fredrickson	Morgan	Watt

Gilbertson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	2
Absent and not vot	ing:	
Bilden	Braun	Thorson
Blaisdell	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the Aandahl	Guthrie	Raschko
Aasen	Hill	Skarvold
Beaton	Holl	Streibel
Blank	Kamrath	Stucke
Brant	Lavik	Topp
Bridston	Lemke	Trout
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Gilbertson	Olson, Mountrail	Wog
Gronvold Guenther	Owings	Young
Those voting in the		Olson Mellenny
Dahl Greiser Isaak	Morrison Nelson, McKenzie	Olson, McHenry Thatcher
Ibaan		

Absent and not voting: Bilden Braun Thorson Blaisdell Nelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Fowler moved that the Senate recess until 7:30 P. M., and at that time the Senate be on the Eleventh Order of Business; and upon the conclusion of the Eleventh Order of Business the Senate recess until 9:00 A. M., February 22nd, which motion prevailed.

The President announced that the Senate would be on the Eleventh Order of Business.

The Senate stood recessed until 9:00 A. M., February 22nd.

WM. J. LOWE, Secretary.

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FIFTIETH DAY AFTER RECESS AND FIFTY-FIRST DAY

Bismarck, February 22, 1939. The Senate re-convened at 9:00 A. M., pursuant to the recess taken, Feb. 21st, with the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber. February 22, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Senate Bill No. 278. A Bill for an Act Relating to the Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 268. A Bill for an Act to Amend and Reenact Section 1498 of the Compiled Laws of 1913, Relating to the Records of the Teachers' Insurance and Retirement Fund.

Senate Bill No. 270. A Bill for an Act Providing That the Furnishing of Transportation or Its Equivalent to School Children Shall Be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 252. A Bill for an Act to Repeal Section 8 of Chapter 125 of the 1933 Session Laws Relating to Duties of State Highway Commissioner and to Dispense With the Necessity of Filing Monthly With the State Auditing Board an Itemized Statement of Materials Sold or Purchased.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 242. A Bill for an Act to Re-establish the North Dakota Mill and Elevator Association and Define Its Powers and Duties; to Provide for the Establishment of a North Dakota Board of Industrial Management, Define Its Powers and Duties in Respect to the Management, Operation and Control of the Properties and Businesses of the North Dakota Mill and Elevator Association, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Senate Bill No. 205. A Blil for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 65. A Bill for an Act Levying and Imposing a Tax to Carry Out the Provisions of That Certain Initiated Measure Adopted at the General Election November 8, 1938, Entitled "An Act Amending and Re-enacting Section 3 of Chapter 211 of the Session Laws of North Dakota for 1937, and Providing That the Amount of Assistance Which Any Person Shall Receive Shall be Sufficient When Added to All Other Income of Recipient to Provide Such Person With a Reasonable Subsistence Compatible With Decency and Health But Shall Not be Less Than a Minimum of Forty Dollars (\$40.00) Per Month Except That it Shall Not be Less than a Minimum of Thirty Dollars (\$30.00) Per Month for Each Recipient Where There Is More Than One Recipient in a Family and Each County Shall Reimburse the State Agency for Fifteen Per Cent of the Amount Expended for Such Assistance in Such County in Excess of the Amount Provided by the Federal Government and Repealing All Acts and Parts of Acts in Conflict Herewith"; Providing That All Funds Derived From Such Tax Shall be Paid Into the State Treasury and Shall be Deposited in the State Public Welfare Fund in Said Treasury and Disbursed by the Public Welfare Board of North Dakota as Provided by Law; and Providing for the Submission of This Act to a Vote of the Electors of the State of North Dakota for Their Approval or Rejection and Providing That If This Act Is Rejected at Such Election it Shall be of No Force or Effect, Making an Appropriation, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifteenth Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 391. A Concurrent Resolution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 22, 1939.

Mr. Speaker: I have the honor to return: House Concurrent Resolution No. 391. A Concurrent Resolution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz. Which the President has signed.

WM. J. LOWE, Secretary.

The President announced that the Senate would return to the Eleventh Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, Which is an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Greiser	Nelson, McKenzie
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Guthrie	Owings
Blank	Hill	Raschko
Blaisdell	Holl	Skarvold
Brant	Isaak	Streibel
Bridston	Kamrath	Stucke
Braun	Lavik	Thorson
Dahl	Lemke	Γroxel
Drew	Leum	Tweten
Flatt	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Wog
Gilbertson	Morrison	Young
Absent and not vo	ting:	
Nelson, Grand Fks. Thatcher		Trout

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Morgan moved that the vote by which Senate Bill No. 195 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 232 be amended as follows:

In line 3, change the figures "\$18,000" to "\$20,000," which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 232 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addrressograph Multigraph Corporation.)

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 30; nays, 14; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Fowler	Morgan
Aasen	Fredrickson	Morrison
Beaton	Greiser	Olson, McHenry
Bilden	Guenther	Olson, Mountrail
Blaisdell	Guthrie	Raschko
Bridston	Hill	Stucke
Braun	Kamrath	Tweten
Dahl	Lavik	Whelan
Drew	Lian	Wog
Flatt	Magoffin	Young
Those voting in th	e negative were:	
Blank	Isaak	Streibel
Brant	Lemke	Thorson
Gilbertson	Nelson, McKenzie	Troxel
Gronvold	Owings	Watt
Holl	Skarvold	

Absent and not voting:

Leum

Trout

Nelson, Grand Fks. Topp

So the bill passed and the title was agreed to.

Thatcher

Senator Blaisdell moved that the vote by which Senate Bill No. 232 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 197. A Bill for an Act to Amend and Reenact 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.

ROLL CALL

The question being on the final passage of the bill, the roll

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was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Fredrickson	Nelson, McKenzie
Aasen	Gilbertson	Olson, McHenry
Beaton	Guenther	Raschko
Bilden	Guthrie	Stucke
Blank	Holl	Thatcher
Blaisdell	Kamrath	Thorson
Brant	Lavik	Troxel
Bridston	Lemke	Watt
Braun	Leum	Whelan
Flatt	Magoffin	Young
Fowler	Morrison	
Those voting in the	negative were:	

Those voting in the negative were:DahlIsaakDrewLianGreiserMorganGronvoldOlson, MountrailHillOwings

Absent and not voting were:

Nelson, Grand Fks. Topp

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 197 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives.

Bismarck, February 22, 1939.

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Mr. President: I have the honor to return: Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Which the House has passed unchanged.

Mr. President: I have the honor to transmit:

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 2 of Chapter 142 of the Session Laws of 1933;

Section 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a13, 8247a14, 8247a15, 8247a16, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a51, 8247a52, 8247a53, 8247a59, 8247a12, 8247a17, 8247a18, 8247a24. 8247a26, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65 and 8247a66 of the Supplement to the Compiled Laws of 1913; Repealing Sections 8247a47, 8247a56, 8247a57 of the Supplement to the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, and Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%) of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 19?9, and Ending June 30, 1941, Seventy-five Per Cent (75%) of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five Per Cent (25%) to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

House Bill No. 331. A Bill for an Act Imposing a Tax Upon Malt Beverages Not Taxed Under Initiated Beer Law of 1933, Providing for Reports by the Vendor, Prescribing Penalties and Providing That the Proceeds of Such Tax Shall Be Paid Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 297. A Bill for an Act to Require That for Any Motor Vehicle, or Any Combination of Vehicles Operated as One Unit, Propelled by a Diesel Engine, the Registration Fee Shall Be Seventy-five Per Cent More Than for Any Motor Vehicle or Any Combination of Vehicles Operated as One Unit Not So Propelled; and Declaring an Emergency. House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160. of the 1933 Session Laws; providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 354. A Bill for an Act for the Regulation of Motor Trucks, Trailers, Semi-Trailers, and Busses, Relative to Size and Weights of Vehicles and Loads, and to the Taxation and Licensing of Such Vehicles in Operation Upon the Highways of This State; and Amending and Re-enacting Sub-sections (c), (e) and (f) of Section 36, of Chapter 162 of the Session Laws of 1927, as Amended by Chapter 185, of the Session Laws of 1935, and Sub-sections (b) of Section 25, of Chapter 179, of the Session Laws of 1927, as Amended by Section 5, of Chapter 186 of the Session Laws of 1931; and Repealing Sub-section (c) of Section 25, of Chapter 179, of the 1927 Session Laws, as Amended by Chapter 180 of the Session Laws of 1935, and Sub-sections (d), (e), and (f), of Section 25, of Chapter 179, of the Session Laws of 1927; and Repealing All Other Acts or Parts of Acts in Conflict Herewith.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1938, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

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House Bill No. 274. 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 Nav-igable or Non-navigable Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Concurrent Resolution No. 365. Relating to Amendment to Section 176 of the Constitution of the State of North Dakota.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 296. A Bill for an Act to Amend Subdivision (b) of Section 25 of Chapter 179 of the Session Laws of 1927, as Amended by Chapter 186 of the Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, as Amended by Chapter 180 of the Session Laws of 1933, as Amended by Chapter 180 of the Session Laws of 1935, by Adding Thereto a Proviso Increasing the Registration Fees for Trucks Propelled by Diesel Engines by Thirty-five Per Cent Over the Registration Fees for Trucks Not so Propelled; and Declaring an Emergency.

House Bill No. 327. A Bill for an Act Prescribing the Qualifications of County Coroner.

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State

Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency. Which the House has passed and your favorable considera-

tion is requested.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 194. A Bill for an Act to Amend and Reenact Section 7971 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Against Usurping Officers and Persons.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Fowler	Morrison
Aasen	Fredrickson	Nelson, Grand Fks.
Beaton	Gilbertson	Raschko
Bilden	Gronvold	Stucke
Blaisdell	Guenther	Thatcher
Brant	Guthrie	Troxel
Bridston	Lavik	Watt
Braun	Leum	Whelan
Drew	Lian	Young
Flatt	Magoffin	

Those voting in the negative were:

Blank	Kamrath	Owings
Dahl	Lemke	Skarvold
Greiser	Morgan	Streibel
Hill	Nelson, McKenzie	Thorson
Holl	Olson, McHenry	Tweten
Isaak	Olson, Mountrail	Wog

Absent and not voting were: Topp Trout

So the bill passed and the title was agreed to.

Senator Young 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.

Senator Bridston moved that Senate Bill No. 212 be amended as follows:

In line 47, after the word year, add the words "It shall be necessary for each place of business to keep a copy of all inventories to be available at all times for the assessors or other taxing authorities," which motion prevailed.

Senator Morrison moved that the rules be suspended and that Senate Bill No. 212 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, 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, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which Senate Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Braun moved that Senate Bill No. 136 be amended as follows:

Page 1, Sec. 1, line 9, insert the words "Ten Dollars" after the words "fee of."

Page 2, Sec. 2, line 28, after the words "less than" insert the figures "14."

Sec. 2, line 29, at the beginning of the line, insert the figures "20."

Page 3, line 57, after the words "sum of," insert the word "five."

On page 8, Sec. 12, add the regular emergency clause.

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 136 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 136. A Bill for an Act to Encourage and Permit the Propagation of Domestic Game Birds by Private Enterprise in the State of North Dakota; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

the affirmative were:	Second Second
Guenther	Olson, Mountrail
Guthrie	Owings
Hill	Raschko
Holl	Skarvold
Isaak	Streibel
Kamrath	Stucke
Lavik	Thatcher
Lemke	Thorson
Leum	Topp
Lian	Trout
Magoffin	Troxel
Morgan	Tweten
Morrison	Watt
Nelson, Grand Fks.	Whelan
Nelson, McKenzie	Wog
Olson, McHenry	Young
	Guenther Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Those voting in the negative were:

Blaisdell

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Blaisdell moved that the vote by which Senate Bill No. 136 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 22, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 341. A Bill For an Act Assessing and Levying From April 1, 1939 to July 1, 1941 on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund For Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926, and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and For Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Sub-divisions Thereof.

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

Which the House has passed and your favorable consideration is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Dahl moved that Senate Bill No. 274 be indefinitely postponed.

Senator Wog demanded a roll call on the motion of Senator Dahl, which was granted.

ROLL CALL

The question being on the motion of Senator Dahl for indefinite postponement of Senate Bill No. 274, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Gilbertson	Nelson, Grand Fks.
Greiser	Nelson, McKenzie
Gronvold	Olson, McHenry
Guenther	Raschko
Guthrie	Streibel
Isaak	Stucke
Kamrath	Topp
Leum	Troxel
Lian	Tweten
Magoffin	Watt
	Greiser Gronvold Guenther Guthrie Isaak Kamrath Leum Lian

Those voting	in the negative were:	
Drew	Morgan	Thorson
Flatt	Morrison	Trout
Hill	Olson, Mountrail	Whelan
Holl	Owings	Wog
Lavik	Skarvold	Young
Lemke	Thatcher	•

Absent and not voting: Blank Braun

So the motion of Senator Dahl prevailed and Senate Bill No. 274 was declared indefinitely postponed.

Senator Gilbertson moved that the vote by which Senate Bill No. 274 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 144. A Bill for an Act Requiring State Officers, Boards, Bureaus, Commissions, Departments, Institutions, Industries and Businesses to Prepare and File Reports, and Providing a Penalty for Failure to Comply With This Act, 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, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young
Absent and not	voting:	
Blank	Gilbertson	Greiser

Braun

So the bill passed and the title was agreed to.

Senator Aasen moved that the vote by which Senate Bill No. 144 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The President announced the Senate would be on the Fifth Order of Business, for the reading of Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

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Senate Bill No. 261; Senate Bill No. 238; Senate Bill No. 239; Senate Bill No. 240; Senate Bill No. 248; Senate Bill No. 253; Senate Bill No. 255; Senate Bill No. 41; Senate Bill No. 265 Senate Bill No. 1; Senate Bill No. 9; Senate Bill No. 109; Senate Bill No. 123; Senate Bill No. 140; Senate Bill No. 141; Senate Bill No. 144; Senate Bill No. 215; Senate Bill No. 244; Senate Bill No. 245; Senate Bill No. 249; Senate Bill No. 157; Senate Bill No. 158; Senate Bill No. 168;

Senate Bill No. 179, and

Senate Bill No. 65.

And find the same correctly Engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 35.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

The President announced that the Senate would return to the Eleventh Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 265. A Bill for an Act Providing That the Emergency Commission Created and Established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota Shall Pass Upon All Expenditures From the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in th	ne affirmative were:	
Aandahl	Gronvold	Nelson, Grand Fks.
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Raschko
Blank	Hill	Skarvold
Brant	Holl	Stucke
Bridston	Isaak	Thatcher
Braun	Kamrath	Торр
Dahl	Lavik	Troxel
Drew	Lemke	Watt
Flatt	Leum	Whelan
Fowler	Lian	Wog
Fredrickson	Magoffin	Young
Gilbertson	Morgan	and a start
Those voting in th	he nogetive were:	

Those voting in the	negative were:	
Bilden	Olson, Mountrail	Thorson
Greiser	Owings	Trout
Morrison	Streibel	Tweten
Nelson, McKenzie		

Absent and not voting:

Blaisdell

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which Senate Bill

No. 265 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith. Was read the second time.

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35

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

1782 Those voting in the affirmative were: 115 Bilden Lavik Stucke Lemke Thatcher Blaisdell Brant Leum Thorson 1.52 Dahl Lian Topp Fowler Trout Morgan Greiser Morrison Troxel Gronvold Nelson, Grand Fks. Tweten 12:00 Nelson, McKenzie Olson, McHenry Guenther Watt Whelan Guthrie Wog Hill Owings 156 Isaak Streibel Young 55 Kamrath Those voting in the negative were: Drew Magoffin Aandahl Fredrickson Olson, Mountrail Aasen Beaton Gilbertson Raschko 283 Blank Holl Skarvold 21 Braun Absent and not voting were:

So the bill passed and the title was agreed to.

Flatt

Senator Whelan moved that the vote by which Senate Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 204. A Bill for an Act Permitting County Commissioners to Publish Delinquent Real Estate Tax Sale Notices in the Legal Newspapers of the County, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Bridston

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Gronvold	Owings
Aasen	Guenther	Streibel
Beaton	Guthrie	Stucke
Bilden	Hill	Thatcher
Blank	Isaak	Thorson

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Braun	Lavik	Topp
Dahl	Leum	Trout
Flatt	Lian	Troxel
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Gilbertson	Morrison	Wog
Greiser	Olson, Mountrail	Young

	n the negative were:	
Blaisdell	Kamrath	Olson, McHenry
Brant	Lemke	Skarvold
Drew	Nelson, Grand Fks.	Tweten
Holl	Nelson, McKenzie	

Absent and not voting:

Bridston Raschko

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Braun moved that the vote by which Senate Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Watt moved that Senate Bill No. 1, be placed at the head of the calendar, which motion prevailed.

Senator Young moved that Senate Bill No. 1 be amended as follows:

At the end of the title, strike out the "period" and insert a "comma" and add the following: "and prohibiting the payment or receipt of double compensation or salary, providing a penalty for violation thereof, and declaring an emergency."

Following Section 4, add a new Section to be numbered Section 5, as follows:

Section 5, as follows: "SECTION 5. Any elected officer or any appointee or employee whose salary or compensation is fixed by this Act, who directly or indirectly pays or receives or accepts any further or additional salary or compensation to or from any other person whose salary or compensation is fixed by this Act or from any other bureau, department, officer or employee of the State of North Dakota, shall be guilty of a misdemeanor and upon conviction therefor shall be punished as provided by law for punishment of a misdemeanor."

Also re-number "Section 5" of the engrossed bill to read "Section 6."

Senator Young moved that the rules be suspended and that Senate Bill No. 1 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 1: A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Prohibiting the Payment or Receipt of Double Compensa-

tion or Salary, Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in	the affirmative were:		
Aandahl	Guenther	Olson, Mountrail	
Aasen	Guthrie	Owings	
Beaton	Hill	Raschko	
Bilden	Holl	Skarvold	
Blank	Isaak	Streibel	
Blaisdell	Kamrath	Stucke	
Brant	Lavik	Thatcher	
Bridston	Lemke	Thorson	
Braun	Leum	Topp	
Dahl	Lian	Trout	
Drew	Magoffin	Troxel	
Flatt	Morgan	Tweten	
Fowler	Morrison	Watt	
Fredrickson	Nelson, Grand Fks.	Whelan	
Gilbertson	Nelson, McKenzie	Wog	
Greiser	Olson, McHenry	Young	
Gronvold			

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 1 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 22, 1939.

Mr. Speaker: I have the honor to transmit: Senate Bill No. 265. A Bill for an Act Providing That

the Emergency Commission Created and Established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota Shall Pass Upon All Expenditures From the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Requiring State Officers, Boards, Bureaus, Commissions, Departments, Institutions, Industries and Businesses to Prepare and File Reports, and Providing a Penalty for Failure to Comply With This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 157. A Bill for an Act Relating to Civil Liability of Owners and Operators of Motor Vehicles, Service of Civil Process on Non-residents and Requirement That Owners of For-rent Vehicles Give Proof of Financial Re-

sponsibility and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 163 of the Session Laws of the State of North Dakota for the Year 1929, Being an Act to Require Persons Convicted of Reckless Driving, or of Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs, or of Failure to Stop in Event of an Accident Involving Injury or Death to a Person, to Furnish a Bond or Insurance Policy; Providing for the Enforcement of Such Act; and Providing a Penalty for the Violation Thereof.

Senate Bill No. 168. A Bill for an Act Relating to the Furnishing of Certified Checks or Bidder's Bonds by Contractors Submitting Proposals for the Construction of Public Improvements; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 179. A Bill for an Act Licensing the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards; Providing for Certain License Fees and for Certain Taxes Thereon; for the Disposition of Monies Obtained Thereunder; Prohibiting the Sale and Use of Punch Boards, Tip Boards, Tip Jars, Pull Boards and Push Boards Not Duly Stamped; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; Providing for a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency. Which the Senate has passed and your favorable con-

sideration is requested.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 281. A Bill for an Act to Amend and Re-enact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Guenther	Raschko
Aasen	Guthrie	Skarvold
Bilden	Hill	Stucke

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D. form	Blank	Holl	Thatcher
Reieren	Blaisdell	Lavik	Topp
	Bridston	Lemke	Trout
d and R-	Braun	Leum	Troxel
of North	Drew	Magoffin	Watt
e Person	Flatt	Morgan	Whelan
r Vele	Fowler	Morrison	Wog
Narw=	Fredrickson	Nelson, Grand Fks.	Young
	Gronvold	Nelson, McKenzie	Toung
nt Inval-	Gronvolu	Reison, MCRenzie	
or lasz- Juch AC.	Those voting in	the negative were:	
Juca mer	Beaton	Isaak	Owings
A.	Brant	Kamrath	Streibel
ng to 22	Dahl	Lian	Thorson
; by lat-	Gilbertson	Olson, McHenry	Tweten
n ci P==	Greiser	Olson, Mountrail	Iweten
f Ac3 =			
	So the bill passe	ed and the title was ag	reed to.
7 the Sie	Senator Fowler	moved that the vote by	which Senate Bill
1] Bears		ed be reconsidered, and	
Fees and		n the table, which moti	
N IN			
Use a		123. A Bill for an Act	
and Pss		tate Public Welfare Fu	
forcenen	Section 3, of Chap	oter 214, of the Session	Laws of 1937, for
eof: Pr		inning July 1, 1939, ar	
	1941, to Be Exper	nded by the Public Wel	fare Board in Pro-
Parisi	viding Public Assi	stance to the Needy Ag	red. as Provided by
ney.		e Session Laws of 1937,	
AT IN	Costs of Administ		
4 556586	Was read the se		
uld Har	was read the se	econu time.	
LIETE		ROLL CALL	
nd: Pro-	The question be	ing on the final pass	are of the hill as
Lave		was called and there w	
izing the		the affirmative were:	
Dasra	Aandahl	Guenther	Oleen Menntus!
r Land			Olson, Mountrail
ralisies	Aasen	Guthrie	Owings
Tansee	Beaton	Holl	Raschko
to all	Bilden	Isaak	Skarvold
ble cost	Blaisdell	Kamrath	Streibel
	Brant	Lavik	Stucke
eta:T	Bridston	Lemke	Thorson
	Braun	Leum	Topp
1.1	Dahl	Lian	Trout
10d P4	Drew	Magoffin	Troxel
75.15	Flatt	Morgan	Tweten
1: 24	Fowler	Morrison	Watt
Nor#	Fredrickson	Nelson, Grand Fks.	Whelan
	Gilbertson	Nelson, McKenzie	Wog
	Greiser	Olson, McHenry	Young
	Gronvold	,	
e ral	Absent and not	voting were:	
E .	Blank	Hill	Thatcher
	So the bill passe	ed and the title was agr	eed to.
	Senator Watt n	noved that the vote by	which Senate Bill

No. 123 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 Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

THOSE TOUTING IN	the difficulture neres	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Brant

So the bill passed and the title was agreed to.

Senator Owings 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. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill. **a** amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

WEDNESDAY, FEBRUARY 22, 1939

ion to re-	Those voting in	the affirmative were:	
led.	Aandahl	Guenther	Olson, Mountrail
an Atom-	Aasen	Guthrie	Owings
and En-	Beaton	Hill	Raschko
eated an	Bilden	Holl	Skarvold
sion Law	Blank	Isaak	Streibel
Board I	Blaisdell	Kamrath	Stucke
nd to De	Bridston	Lavik	Thorson
nd Ili d	Braun	Lemke	Topp
d Welly	Dahl Drew	Leum Lian	Trout Troxel
((). ?	Flatt	Magoffin	Tweten
ailable fr	Fowler	Morgan	Watt
vertiel	Fredrickson	Morrison	Whelan
1935.	Gilbertson	Nelson, Grand Fks.	Wog
	Greiser	Nelson, McKenzie	Young
	Gronvold	Olson, McHenry	
e bill. u	Absent and not	voting were:	
48; mp	Brant	Thatcher	
	So the bill passe	ed and the title was ag	reed to.
[ountral]	No. 141 was pass	moved that the vote by ed be reconsidered and the table, which motion	the motion to re-
đ	Senate Bill No	239. A Bill for an Act	Making an Appro-
		or a Portion of the Cur	
		olic School System as I	
r		n Fund Law, as Provi ssed by the 1939 Session econd time.	
		ROLL CALL	
	The question be amended, the roll 0; absent and not	eing on the final pass was called and there w voting, 1.	age of the bill, as ere ayes, 48; nays,
		the affirmative were:	
	Aandahl	Guenther	Olson, Mountrail
	Aasen	Guthrie	Owings
	Beaton	Hill	Raschko
	Bilden	Holl	Skarvold
	Blank	Isaak	Streibel
enate BE	Blaisdell	Kamrath	Stucke
en w.	Brant	Lavik	Thatcher
led.	Bridston Braun	'Lemke Leum	Thorson
n Appro	Dahl	Lian	Topp Trout
n arr runi	Drew	Magoffin	Troxel
Tote is	Flatt	Morgan	Tweten
Weill	Fredrickson	Morrison	Watt
312.7	Gilbertson	Nelson, Grand Fks.	Whelan
er Spell	Greiser	Nelson, McKenzie	Wog
011.	Gronvold	Olson, McHenry	Young
	Absent and not Fowler		
hill P	So the bill pass	ed and the title was ag	reed to.
7; 34 ¹⁵	Senator Olson o	f McHenry 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.

Senate Bill No. 9. 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, 48; nays, 0; absent and not voting, 1.

Those	voting	in	the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting were: Brant

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 9 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Aandahl moved that Senate Bill No. 206 be indefinitely postponed, which motion prevailed.

Senator Aandahl moved that the vote 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. 216. A Bill for an Act to Amend and Reenact Chapter 284, of the 1927 Session Laws of the State of North Dakota, Providing for the Investment of Monies in the Workmen's Compensation Fund, and Making an Appropriation for Such Investments.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings

Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting were:

Brant

So the bill passed and the title was agreed to.

Senator Leum moved that the vote by which Senate Bill No. 216 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting were:

Brant

So the bill passed and the title was agreed to.

Senator Dahl moved that the vote by which Senate Bill No. 68 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, **a** amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting i	n the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting were: Brant Stucke

So the bill passed and the title was agreed to.

Senator Thatcher 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.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 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, 47; nays, 0; absent and not voting, 2.

AasenHillHillBeatonHollSBildenIsaakSBlankKamrathSBlaisdellLavikTBraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonV	
BeatonHollSBildenIsaakSBlankKamrathSBlaisdellLavikTBraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Owings
BildenIsaakSBlankKamrathSBlaisdellLavikTBraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Raschko
BlankKamrathSBlaisdellLavikTBraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Skarvold
BlankKamrathSBlaisdellLavikTBraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Streibel
BraunLemkeTDahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Stucke
DahlLeumTDrewLianTFlattMagoffinTFowlerMorganTFredricksonMorrisonW	Chatcher
DrewLianIFlattMagoffinIFowlerMorganIFredricksonMorrisonV	Chorson
DrewLianIFlattMagoffinIFowlerMorganIFredricksonMorrisonV	Горр
Fowler Morgan T Fredrickson Morrison V	Frout
Fredrickson Morrison V	Croxel
	Cweten
Gilbertson Nelson Grand Fks. V	Watt
	Whelan
	Wog

Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting were: Brant Bridston

So the bill passed and the title was agreed to.

Senator Topp 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.

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting i	n the affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	

Those voting in the negative were: Aasen Watt

Absent and not voting: Brant Br

Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Bridston

Senator Raschko moved that the vote by which Senate Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 109. A Bill for an Act Providing for the Appointment of a Commission to Examine the Accounting Systems of State Departments and Institutions, and of Local Sub-divisions; Providing for the Establishment of Uniform Systems of Accounting, and Providing a Penalty for Violation; Providing for Biennial Examinations of the Affairs of State Departments and Institutions; Providing an Appropriation; and Repealing Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Fredrickson	Morrison
	Nelson, Grand Fks.
	Торр
Guthrie	Trout
Hill	Watt
Holl	Whelan
Lavik	Wog
	Young
	Hill

Those voting in the negative were:

Blank	
Dahl	
Drew	
Greiser	
Gronvold	
Isaak	
Kamrath	
Lemke	

negative were: Leum R Lian S Morgan S Nelson, McKenzie T Olson, McHenry T Olson, Mountrail T Owings T

Raschko Skarvold Streibel Thatcher Thorson Troxel Tweten

Absent and not voting: Brant Stucke

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibe!
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog

Gronvold

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Olson, McHenry Young

Absent and not voting:

Brant

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 245 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 22, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addrressograph Multigraph Corporation.)

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to Be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

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Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Senate Bill No. 204. A Bill for an Act Permitting County Commissioners to Publish Delinquent Real Estate Tax Sale Notices in the Legal Newspapers of the County, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

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SECOND READING OF SENATE BILLS

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 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, 48; nays, 0; absent and not voting, 1.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Brant

So the bill passed and the title was agreed to.

Senator Isaak moved that the vote by which Senate Bill No. 249 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 238. 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.

ić azz b		ROLL CALL	
RL day B	The question being	ng on the final pass	age of the bill, as
amended, the roll was called and the			
s. La	0; absent and not v		
	Those voting in the	he affirmative were:	
ų 🖻	Aandahl	Guenther	Olson, Mountrail
16	Aasen	Guthrie	Owings
E-sal	Beaton	Hill	Raschko
127	Bilden	Holl	Skarvold
	Blank	Isaak	Streibel
	Blaisdell	Kamrath	Stucke
	Bridston	Lavik	Thatcher
	Braun	Lemke	Thorson
172 - 7	Dahl	Leum	Topp
ncs =	Drew	Lian	Trout
R.T.	Flatt	Magoffin	Troxel
128	Fowler	Morgan	Tweten
	Fredrickson	Morrison	Watt
	Gilbertson	Nelson, Grand Fks.	Whelan
S	Greiser	Nelson, McKenzie	Wog
11	Gronvold	Olson, McHenry	Young
111	Abcout and not on		
1.3	Absent and not vo	oung:	
4) ***	Brant	d and the title man	
	So the bill passed	d and the title was a	greed to.
141		oved that the vote by	
10 101		l be reconsidered, and	
45		the table, which motio	
	ME	SSAGE TO THE HOU	
1.25			enate Chamber,
	Mr Speaker II	have the honor to tran	ebruary 22, 1939.
(a)	그는 것이 같은 것이 같은 것이 같이 많이		
Ð		195. A Bill for an A	
	1027 Which is an	ting Chapter 86 of th Act Making an Appro	ne Session Laws of
		g Public Assistance t	
1	the Needy Blind	and to Dependent	Children and for
		elfare Services and S	
		nation With and Suppl	
		r Like Purposes in	
		ment; and Declaring	
		94. A Bill for an Act	같은 모양에 걸린 것은 주말을 위해졌다. 지난 것 같아.
· · ·		of the Compiled Lay	
		913, Relating to Actio	
	ing Officers and Per	rsons	ins riganist osurp-
		97. A Bill for an Act	to Amond and Do
		of the Compiled Law	
		13, Being Section 13, o	
	sion Laws of 1911	, Relating to Penaltie	s for Violation of
	the Laws Concernin	g the Practice of Med	icine and Surgery.
.1		77. A Bill for an Act	
	priation to Provide	Funds for the Payme	ant of Salarias Due
1		Motor Vehicle Regist	
24	and Declaring an E		acton Department,
2 3		55. A Bill for an Act	Making on Anna
1 Alexandre		eration and Maintenand	
5-00	Priation for the type	and Mantelland	to of the state fiall

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Insurance Department, for the Biennium Beginning July 1, 1939.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 216. A Bill for an Act to Amend and Reenact Chapter 284, of the 1927 Session Laws of the State of North Dakota, Providing for the Investment of Monies in the Workmen's Compensation Fund, and Making an Appropriation for Such Investments.

Senate Bill No. 109. A Bill for an Act Providing for the Appointment of a Commission to Examine the Accounting Systems of State Departments and Institutions, and of Local Sub-divisions; Providing for the Establishment of Uniform Systems of Accounting, and Providing a Penalty for Violation; Providing for Biennial Examinations of the Affairs of State Departments and Institutions; Providing an Appropriation; and Repealing Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Those voting in	the allimative were.	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Greiser	Nelson, Grand Fks.	Whelan

Gronvold Nelson, McKenzie Young Guenther Olson, McHenry Those voting in the negative were: Flatt Troxel Wog Gilbertson

Absent and not voting: Brant

So the bill passed and the title was agreed to.

Senator Trout moved that the vote by which Senate Bill No. 253 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Troxel: Mr. President, I want to explain my vote. I would like to be one of the three that vote against feeding this white elephant any more, therefore I vote "no."

Senate Concurrent Resolution No. 282. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Was read the second time.

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ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Inose voting in	the affirmative were.	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Bridston	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Watt
Fredrickson	Morgan	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Those voting in the negative were: Morrison

Topp

Absent and not voting:

Brant

Trout

So the Concurrent Resolution passed and the title was agreed to.

Senator Lavik moved that the vote by which Senate Concurrent Resolution No. 282 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 283. A Bill for an Act Prescribing the

Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

	e affirmative were:	
Aandahl	Gilbertson	Morgan
Aasen	Greiser	Nelson, McKenzie
Beaton	Gronvold	Olson, McHenry
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Raschko
Blaisdell	Holl	Stucke
Bridston	Isaak	Topp
Braun	Kamrath	Troxel
Dahl	Lavik	Tweten
Drew	Lemke	Watt
Flatt	Leum	Whelan
Fowler	Lian	Wog
Fredrickson	Magoffin	Young

Those voting in the negative were: Morrison Skarvold Nelson, Grand Fks. Streibel Owings

Thatcher Thorson

Absent and not voting:

Brant

Trout

So the bill passed and the title was agreed to.

Guenther

Senator Blaisdell moved that the vote by which Senate Bill No. 283 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Owings: Mr. President, I want to explain my vote. I vote "no" for the reasons stated previously.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 22, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Provid-

ing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts. Was read the second time. ROLL CALL The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2. Those voting in the affirmative were:

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Those voting i	n the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Bridston	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxe
Fowler	Morgan	Tweten
Fredrickson	Nelson, Grand Fks	watt
Gilbertson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young
Guenther		

Those voting in the negative were: Morrison

Absent and not voting were: Brant Briun

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the vote by which Senate Bill No. 284 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota. Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were $ay \in s$, 46; nays, 0; absent and not voting, 3.

	e affirmative were:	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Blaisdell	Lemke	Thatcher
Dahl	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan

Olson, McHenry

Wog

Gronvold
Guenther
Guthrie

Olson, Mountrail Young

Brant Bridston Braun So the bill passed and the title was agreed to.

Absent and not voting were:

Senator Skarvold moved that the vote by which Senate Bill No. 244 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal 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, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Those voting in the negative were:

Morrison

Absent and not voting:

Brant

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Whelan moved that the vote by which Senate Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 22, 1939.

Mr. Speaker: I have the honor to transmit:

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Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Concurrent Resolution No. 282. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

Senator Whelan requested that the Senate be on the Eighth Order of Business.

Senator Whelan moved that a committee be appointed to escort Senator Nye, who is a visitor in the Senate chamber today, to the rostrum, which motion carried.

The President appointed Senator Whelan as such Committee.

Senator Nye was escorted to the rostrum and on the invitation of the President, addressed the Senate.

Senator Guthrie moved that the action by which Senate Bill No. 257 was indefinitely postponed on committee report, be reconsidered, which motion prevailed.

Senator Guthrie moved that Senate Bill No. 257 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 257. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes 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, 27; nays, 20; absent and not voting, 2.

in the affirmative were:	a sector and the
Gilbertson	Magoffin
Gronvold	Nelson, Grand Fks.
Guenther	Торр
Guthrie	Trout
Hill	Troxel
Holl	Watt
Lavik	Whelan
Leum	Wog
Lian	Young
in the negative were:	
Morgan	Skarvold
Morrison	Streibel
Nelson, McKenzie	Stucke
	Thatcher
	Thorson
Owings	Tweten
Raschko	
	Gilbertson Gronvold Guenther Guthrie Hill Holl Lavik Leum Lian in the negative were: Morgan Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail Owings

Absent and not voting: Blank Brant So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Blaisdell moved that the vote by which Senate Bill No. 257 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan: "Mr. President, I want to explain my vote. I vote 'no' on this bill because I think we are going out on a \$50,000 wild goose chase."

Senator Morrison: "Mr. President: I vote 'no' for the same reason as the Senator from Walsh county. I think when you get all through you still won't have anything. I think it is throwing money out of the window. Therefore I vote 'no'."

Senator Young: "Mr. President: I want to explain my vote. In 1933 we had a ten thousand dollar appropriation to investigate the Capitol Commission. I voted against that measure because I thought it was excessive but I found the money was well spent, and I decided from then on I would never vote against an appropriation for an investigation, under a million dollars. Therefore I vote 'aye'."

Senator Blaisdell moved that the Senate now recess until 1:30 P. M., which motion prevailed.

The Senate re-convened at 1:30 P. M., pursuant to recess taken, with the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 22, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Prohibiting the Payment or Receipt of Double Compensation or Salary, Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Senate Bill No. 257. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission

and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appoint-ment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Senate Bill No. 136. A Bill for an Act to Encourage and Permit the Propagation of Domestic Game Birds by Private Enterprise in the State of North Dakota; Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 1.

Senate Bill No. 136 and

Senate Bill No. 212,

And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 259,

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 22, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 364. A Bill for an Act to Amend and Re-enact Section 10322a3 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 130 of the Session Laws of 1929, Relating to the Game and Fish Department of the State of North Dakota.

House Bill No. 238. A Bill for an Act Prohibiting Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages and Beer, Outside the Limits of Any City or Village in the State of North Dakota, Prescribing A Penalty for the Violation Thereof.

Which the House has passed and your favorable consideration is respectfully requested.

Mr. President: I have the honor to return:

Senate Bill No. 259. A Bill for an Act Authorizing the

State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

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WM. J. LOWE, Secretary.

FIFTY-FIRST DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Rev. Mr. G. Adolph Johns. Roll call: All Senators present.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-ninth Day After Recess and Fiftieth Day and recommends that the same be corrected as follows:

On page 515, line 15, change the figures "265" to "144."

On page 541, after line seven, insert a new paragraph: "Senator Whelan moved that the rules be suspended and Senate Resolution "D" be placed on Second Reading and Final Passage, which motion prevailed."

And when so corrected, recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A communication was received from Mr. William Langer with a petition with 19 signers from Stirum, North Dakota, regarding the Old Age Pension Plan.

Petitions were presented by Senator Tweten from 268 signers of Benson county, requesting the Legislature to permit the sale of beer on Sunday; to have cigarettes stamped by the wholesalers, and to legalize the use of slot machines, etc., which petitions were referred to the Committee on State Affairs.

A communication from a number of business men and farmers of the Enderlin area was received, requesting the Legislature to work out a sane, money-saving program, and protesting any increase in taxes, which was referred to the Committee on State Affairs.

A communication from the Farmers Union Local No. 1065 of Hettinger County, requesting passage of House Bill No. 196, which was referred to the Committee on Highways.

The President announced that the Senate would be on the Fifteenth Order of Business for the Signing of Bills.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the

Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

And the President signed the same in the presence of the Senate.

Senator Thatcher moved that the Senate be on the Twelfth Order of Business, and that at the conclusion of the First Reading of House Bills, the Senate recess until 1:00 P. M., February 23rd, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 341. A Bill For an Act Assessing and Levying From April 1, 1939 to July 1, 1941 on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund For Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926, and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and For Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Sub-divisions Thereof.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 296. A Bill for an Act to Amend Subdivision (b) of Section 25 of Chapter 179 of the Session Laws

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THE		House Bill No. 327.
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y Chapter 186 of the Session Laws of Chapter 160 of the Session Laws of apter 180 of the Session Laws of 1935, Proviso Increasing the Registration lled by Diesel Engines by Thirty-five istration Fees for Trucks Not so Proan Emergency. me and referred to the Committee on A Bill for an Act to Amend and Reter 5 of the 1937 Session Laws. me and referred to the Committee on ock. A Bill for an Act Prescribing the ty Coroner. me and referred to the Committee on A Bill for an Act to Amend and Re-4, of Chapter 97 of the Session Laws y Chapter 119 of the Session Laws of dministration of County Poor Relief; gency. me and referred to the Committee on A Bill for an Act Making an Aperating, Administration, Salaries and he State Hospital for the Insane at ota and Declaring an Emergency. ime and referred to the Committee on A Bill for an Act Amending and Re-1 of the 1925 Supplement to the Com-Dakota for 1913, as Amended by Sec-, Laws of 1933, in Reference to State Affidavit, Insurability and Liens; Rect Herewith, and Declaring an Emerime and referred to the Committee on ock. A Bill for an Act to Amend Chapter 937, State of North Dakota, Relating der Roads by Adding an Additional Section 3, Relating to Designation of System and Authorizing the State er to Designate Highways in Such an Emergency. ime and referred to the Committee on A Bill For an Act Declaring that ly and Validly Issued by the State

mmission Are Legal and Valid Investst Companies, Insurance Companies, Building and Loan Associations and institutions; and Declaring an Emer-

ime and referred to the Committee on e.

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Section 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a13, 8247a14, 8247a15, 8247a16, 8247a17, 8247a18, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a26, 8247a51, 8247a52, 8247a53, 8247a59, 8247a24. 8247a60, 8247a61, 8247a63, 8247a64, 8247a65 and 8247a66 of the Supplement to the Compiled Laws of 1913; Repealing Sections 8247a47, 8247a56, 8247a57 of the Supplement to the Com-piled Laws of 1913 and All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, and Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%) of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Seventy-five Per Cent (75%) of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five Per Cent (25%) to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; Repealing

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All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 331. A Bill for an Act Imposing a Tax Upon Malt Beverages Not Taxed Under Initiated Beer Law of 1933, Providing for Reports by the Vendor, Prescribing Penalties and Providing That the Proceeds of Such Tax Shall Be Paid Into the General Fund of the State, and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 297. A Bill for an Act to Require That for Any Motor Vehicle, or Any Combination of Vehicles Operated as One Unit, Propelled by a Diesel Engine, the Registration Fee Shall Be Seventy-five Per Cent More Than for Any Motor Vehicle or Any Combination of Vehicles Operated as One Unit Not So Propelled; and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160 of the 1933 Session Laws; providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Highways.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

Was read the first time and referred to the Committee on Mines and Minerals.

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the **Procedure Before Such Board, and Providing for the Ap**pointment of Parole Officers and Other Assistants, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1938, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

Was read the first time and referred to the Committee on Education.

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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

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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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

Was read the first time and referred to the Committee on Agriculture and Live Stock.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Elections.

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution No. 365. Relating to Amendment to Section 176 of the Constitution of the State of North Dakota.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 238. A Bill for an Act Prohibiting Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages and Beer, Outside the Limits of Any City or Village in the State of North Dakota, Prescribing A Penalty for the Violation Thereof.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 354. A Bill for an Act for the Regulation of Motor Trucks, Trailers, Semi-Trailers, and Busses, Relative to Size and Weights of Vehicles and Loads, and to the Taxation and Licensing of Such Vehicles in Operation Upon the Highways of This State; and Amending and Re-enacting Sub-sections (c), (e) and (f) of Section 36, of Chapter 162 of the Session Laws of 1927, as Amended by Chapter 185, of the Session Laws of 1935, and Sub-sections (b) of Section 25, of Chapter 179, of the Session Laws of 1927, as Amended by Section 5, of Chapter 186 of the Session Laws of 1931; and Repealing Sub-section (c) of Section 25, of Chapter 179, of the 1927 Session Laws, as Amended by Chapter 180 of the Session Laws of 1935, and Sub-sections (d), (e), and (f), of Section 25, of Chapter 179, of the Session Laws of 1927; and Repealing All Other Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Highways.

House Bill No. 364. A Bill for an Act to Amend and Reenact Section 10322a3 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 130 of the Session Laws of 1929, Relating to the Game and Fish Department of the State of North Dakota.

Was read the first time and referred to the Committee on Game and Fish.

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

Was read the first time and referred to the Committee on Judiciary.

And the Senate stood recessed pursuant to the motion of Senator Thatcher.

WM. J. LOWE, Secretary.

FIFTY-FIRST DAY AFTER RECESS AND FIFTY-SECOND DAY

Bismarck, February 23, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 22nd, with the President presiding.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 27, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure "\$40,000.00" and insert in lieu thereof the figure "\$25,000.00".

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 392, have had the same under consideration and recommend that the same be amended as follows:

In line 5 after the words "North Dakota" strike out the "comma" and insert a "period," also strike out the word "towit:".

Strike out all of lines 6, 7, 8 and 9.

Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 97, have had the same under consideration and recommend that the same be amended as follows: In line 5 after the word "North Dakota" strike out the "comma," and insert a "period," also the word "to-wit:".

Strike out all of line 6, 7, 8 and 9. Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 4, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 34, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 25, have the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 23, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 39, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to

	whom was referred, House Bill No. 28, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.		
55.		noved that the report and the report was ado	
		민준이지 않는 것 같은 것은 것이야.	
et. 72		READING OF HOUS	
	State Exclusive Ju	47. A Bill for an Act C risdiction Over Certain	Lands in Burleigh
tatis :		Parts of the Fort Lincol	n Military Reserva-
Same III	tion.		
55.	Was read the se	cond time.	
ha TIL		BOLL CALL	
:ed. *22	ROLL CALL The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not		
31 3 1	voting, 13.	13 66: 11	
12 22		the affirmative were:	Collector -
du tas	Aandahl	Guenther	Owings
12:21	Aasen	Guthrie	Raschko
	Beaton	Hill	Skarvold
120, 152	Blank	Holl	Streibel
	Brant	Kamrath	Stucke
stante	Danl	Lavik	Thatcher
	Drew	Lemke	Thorson
	Flatt	Lian	Topp
55	Fowler	Magoffin	Troxel
all	Gilbertson	Morrison	Tweten
ed. The	Greiser	Nelson, McKenzie	Wog
	Gronvold	Olson, McHenry	Young
5:23 -	Abased and made		
he su	Absent and not		
13	Bilden	Isaak	Olson, Mountrail
تقر	Blaisdell	Leum	Trout
	Bridston	Morgan	Watt
727	Braun Fredrickson	Nelson, Grand Fks.	Whelan
51	So the bill passe	ed and the title was ag	reed to.
	House Bill No. 1	10. A Bill for an Act	to Amend and Re-
2	enact Sub-section	1 of Section 32, Chalating to Fur-Bearing	apter 148, Session
£	claring an Emerger		
15	Was read the se	cond time.	
		ROLL CALL	
	The question hei	ng on the final passage	of the hill the roll
11	was called and the	re were ayes, 36; nays,	3: absent and not
12 55	voting, 10.	re were ayes, oo, nays,	o, absent and not
100			
1 Th		the affirmative were:	
1 15	Aandahl	Greiser	Nelson, McKenzie
Press age	Aasen	Gronvold	Olson, McHenry
	Beaton	Guenther	Owings
. Lot	Blank	Guthrie	Raschko
opriation	Blaisdell	Hill	Skarvold
ad the set	Brant	Kamrath	Streibel
	Bridston	Lavik	Thatcher
Charten	Dahl	Lemke	Topp
Charter and opted.	Drew	Leum	Trout
	Flatt	Lian	Troxel
IO riarias			

Fowle r Fredrickson	Magoffin Morrison	Wog Young
Those voting in	the negative were:	
Gilbertson	Holl	Tweten
Absent and not	voting:	
Bilder	Nelson, Grand Fks.	Thorson
Braun	Olson. Mountrail	Watt
Isaak	Stucke	Whelan
Morgan		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Blank	Hill	Skarvold
Blaisdell	Holl	Streibel
Brant	Kamrath	Topp
Bridston	Lavik	Trout
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Whelan
Fowler	Morgan	Wog
Gilbertson	Morrison	Young
Greiser	Nelson, McKenzie	
Those voting in	n the negative were:	

Lemke Stucke Thatcher

Absent and not voting:

Bilden	Isaak	Thorson
Braun	Nelson, Grand Fks.	Watt
Fredrickson	Olson, Mountrail	
a		A

So the bill passed and the title was agreed to.

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Aandahl	the affirmative were: Guenther		
		Olson, Mountrail	
Aasen	Guthrie	Owings	
Beaton	Hill	Raschko	
Blank	Holl	Skarvold	
Blaisdell	Kamrath	Streibel	
Brant	Lavik	Stucke	
Bridston	Lemke	Thatcher	
Dahl	Leum	Торр	
Drew	Lian	Trout	
Flatt	Magoffin	Troxel	
Fowler	Morgan	Tweten	
Fredrickson	Morrison	Whelan	
Gilbertson	Nelson, McKenzie	Wog	
Greiser	Olson, McHenry	Young	
Gronvold			

Absent and not voting: Bilden Isa

Braun

Isaak Thorson Nelson, Grand Fks. Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Absent and not vo	ting:	
Bilden Braun	Nelson, Grand Fks.	Watt

So the bill passed and the title was agreed to.

Senator Drew moved that House Bill No. 73 be amended as follows:

Add the Emergency Clause to the title.

Senator Drew moved that the rules be suspended and that

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House Bill No. 73 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, 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, 6; absent and not voting, 4.

Those voting in t	he affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Stucke
Dahl	Leum	Thatcher
Drew	Lian	Thorson
Flatt	Magoffin	Topp
Fowler	Morgan	Trout
Fredrickson	Morrison	Troxel
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Those voting in th	ne negative were:	
Blaisdell	Lemke	Watt

Isaak Tweten Whelan Absent and not voting were:

Greiser

Nelson, Grand Fks.

Aandahl Braun

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

The President called Senator Trout to the Chair.

Senator Guthrie requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Guthrie moved that House Bill No. 174 be rereferred to the Committee on Judiciary for amendments, which motion prevailed.

Senator Dahl moved that the amendments to House Bill No. 172 be stricken out.

Senator Thatcher made a substitute motion that House

Bill No. 172 be re-referred to the Committee on Appropriations which motion prevailed.

Senator Thatcher moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-SECOND DAY

The Senate convened at 2:00 P. M., with Senator Trout presiding.

Prayer by the Chaplain, Rev. Mr. G. Adolph Johns. Roll Call: All Senators present.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fiftieth day after recess and Fifty-first day and recommend that the same be corrected as follows:

On page 611, after line 44, insert House Bill No. 370 and title, which was referred to the Committee on Corporations; and

House Bill. No. 372 and title, which was referred to the Committee on Judiciary.

On page 606, line 24, change the word "Appropriations" to "Public Welfare."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 23, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Which the President has signed.

WM. J. LOWE, Secretary.

PETITIONS AND COMMUNICATIONS

A communication was received from the city officials of Maddock referring to the financial condition of the state, and the tax problems, which was referred to the Committee on Taxes and Tax Laws.

Also from ten signers from Leonard, North Dakota, protesting the amendment of the present statutes regarding the use of natural gas, etc., which was referred to the Committee on Education.

Also from a number of farmers of Cass County addressed to Senators Fowler and Watt, requesting a more fair and equitable situation so far as the hauling of farm products is concerned, which was referred to the Committee on Highways.

Also from the officers of various organizations and citizens of Michigan City and community requesting that the Legislature match funds with the Bureau of Public Roads, which was referred to the Committee on Highways.

SECOND READING OF HOUSE BILLS

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Absent and not voting:

Braun Fowler

So the bill passed and the title was agreed to.

Senator Whelan moved that House Bill No. 171 be indefinitely postponed.

Senator Whelan demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Whelan that House Bill No. 171 be indefinitely postponed, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Fredrickson	Magoffin
Aasen	Greiser	Nelson, Grand Fks.
Beaton	Gronvold	Торр
Blaisdell	Guenther	Troxel
Bridston	Guthrie	Watt
Dahl	Isaak	Whelan
Drew	Leum	Wog
Flatt	Lian	Young
Fowler		

in	the negative were:	
	Lemke	Skarvold
	Morgan	Streibel
	Morrison	Stucke
	Nelson, McKenzie	Thatcher
	Olson, McHenry	Thorson
	Olson, Mountrail	Trout
	Owings	Tweten
	Raschko	
	in	Morgan Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail Owings

Absent and not voting: Braun

Senator Morrison: Mr. President, I wish to explain my vote. I am voting "No" on this because I think House Bill No. 171 is a bill for the farmer oil companies, therefore I vote "No".

Senator Whelan moved that the vote by which House Bill No. 171 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Senator Fowler demanded a roll call on the motion of Senator Whelan, which was granted.

ROLL CALL

The question being on the motion of Senator Whelan that the vote by which House Bill No. 171 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Fowler	Nelson, Grand Fks.
Fredrickson	Topp
Gronvold	Troxel
Guenther	Watt
Guthrie	Whelan
Leum	Wog
Lian	Young
Magoffin	
	Gronvold Guenther Guthrie Leum Lian

Those voting in the negative were:

BildenLavikBlankLemkeBrantMorganGilbertsonMorrisonGreiserNelson, IHillOlson, MoHollOlson, MoIsaakOwingsKamrathKamrath

negative were: Lavik Raschko Lemke Skarvold Morgan Streibel Morrison Stucke Nelson, McKenzie Olson, McHenry Thorson Olson, Mountrail Trout Owings Tweten

Absent and not voting were: Braun

So the motion lost.

The President resumed the Chair.

MESSAGE FROM THE HOUSE House of Representatives, Bismarck, February 23, 1939. Mr. President: I have the honor to return: Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Which the House has passed unchanged.

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

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Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Blaisdell moved that House Bill No. 103 be laid over one legislative day, which motion prevailed.

Senator Whelan moved that the Senate recess until 1:00 P. M., February 24th, which motion prevailed.

And the Senate stood recessed.

WM. J. LOWE, Secretary.

FIFTY-SECOND DAY AFTER RECESS AND FIFTY-THIRD DAY

Bsmarck, February 24, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken, February 23rd, with the President presiding.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 35 and

Senate Bill No. 259,

Were delivered to the Governor for his approval at the hour of 1:17 P. M., o'clock February 24, 1939.

W. J. TROUT, Chairman.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 328, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 62, have had the same under consideration and return the same without recommendation, and recommend it be referred to Committee on Appropriations.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced that House Bill No. 62 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 265, have had the same under consideration and recommend that the same do pass, and be referred to the Committee on Appropriations.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced that House Bill No. 265 would be re-referred to the Committee on Appropriations. Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 61, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title strike out the words "Townships in." In line 4 of the title strike out the word "seventy-five" and insert in lieu thereof the word "sixty."

In line 5, of the title, strike out the word "Townships" and insert in lieu thereof the word "Counties."

Section 1 and line 2, strike out the word "seventy-five" and insert in lieu thereof the word "sixty."

Line 3 strike out the words "of any township."

Line 5, strike out the word "township" and insert in lieu thereof the word "County."

Line 8, strike out the word "township" and insert in lieu thereof the word "county."

And when so amended return the same without recommendation.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed, and the report was adopted and House Bill 61, will be placed on the calendar.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Concurrent Resolution No. 240, have had the same under consideration and recommend that the same be amended as follows:

In line 4, after the word "County" insert the following: "and any other County."

And when so amended recommend the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 300, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 293, have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD, Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 311, have had the same under consideration and recommend that the same be amended as follows:

1. Amend title of the Bill to read as follows:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a13, 8247a14, 8247a15, 8247a16, 8247a17, 8247a18, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a24, 8247a51, 8247a52, 8247a26. 8247a47, 8247a53, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

2. In line 26, Section 1, page 3, of the printed Bill, after the word "owning" insert the following: "not less than ten acres of".

3. In line 32, Section 1, page 3 of the printed Bill, after the word "district", strike out the period, insert in lieu thereof a semi-colon and add the following:

"Provided, however, that in irrigation districts embracing or containing less than five hundred acres the word "elector" shall include any person owning any land therein."

4. In Section 3, page 7, line 12 of the printed Bill, insert a new sentence after the "period" which appears after the word "provided", such new sentence to read as follows:

"The State Engineer shall divide the district, if it embraces five hundred acres of land, or more, into three sub-divisions which shall be as nearly equal in size as may be practicable, and which shall be numbered, and one director shall be elected by and from each division."

5. In Section 3, sub-division 3, page 9 of the printed Bill, strike out the word "five" in line 61 and insert in lieu thereof the word "three".

6. In sub-division 4 of Section 3, page 10, in line 67 of the printed Bill, strike out the word "five" and insert in lieu thereof the word "three".

7. In Section 3, sub-division 4, page 10, in line 67 of the printed Bill, strike out the words "Two directors" and insert in lieu thereof the words "One director"; and in line 68 of said sub-division 4, Section 3, page 10, strike out the word "two" and insert in lieu thereof the word "one".

8. In Section 5, page 14 of the printed Bill in line 6, strike out the words "Two directors" and insert in lieu thereof the words "One director"; and in line 7 of said section and page after the word "year", strike out the words "two directors" and insert in lieu thereof the words "one director".

9. In Section 5, page 17, line 70 of the printed Bill, strike out the word "Monday" and insert in lieu thereof the word "Tuesday"; and in line 71 of Section 5, page 17 of the printed Bill, strike out the word "March" and insert in lieu thereof the word "April".

10. In Section 8, page 21, in line 6 of the printed Bill, after the word "first", strike out the balance of the sentence and insert in lieu thereof the following: "Tuesday in March after each election and canvass returns."

11. In Section 11, page 27 of the printed Bill, line 5, after the word and figures "Section 8247a10", strike out the first sentence and insert in lieu thereof the following:

"The board of directors shall hold regular meetings at their office or usual place of meeting on the first Tuesday of each month, commencing at two o'clock in the afternoon of said day, and the board may also hold such special meetings as may be required for the transaction of business."

12. Strike out all of Section 26 of the printed Bill.

13. Re-number Sections 27, 28, 29 and 30 of the printed Bill to read Sections 26, 27, 28 and 29, respectively.

14. Strike out all of Section 31 of the printed Bill and in lieu thereof insert a new section to read as follows:

"Section 30. AMENDMENT. That Section 8247a47 of the Supplement to the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:

Section 8247a47. RE-DIVISION OF DISTRICT; DIREC-TORS. In case of the inclusion of any land within any district by proceedings under this act the board of directors shall, if such district contains, or will contain after the inclusion of such land, five hundred acres or more, at least thirty days prior to the next succeeding general election, make an order re-dividing such district into three divisions as nearly equal in size as may be practicable, which shall be numbered, and one director shall thereafter be elected by and from each division."

15. Re-number Sections 32, 33 and 34 of the printed Bill as Sections 31, 32, and 33, respectively.

16. Strike out all of Section 35 of the printed Bill and insert in lieu thereof a new section to read as follows:

"Section 34. AMENDMENT. That Section 8247a56 of the Supplement to the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:

"Section 8247a56. EFFECT OF CHANGE ON OFFICE OF DIRECTOR; VACANCY. If the lands excluded from any district shall embrace the greater portion of any division of such district, then the office of director for such division shall become and be vacant at the expiration of ten days from the final order of the board excluding the lands, and such vacancy shall be filled by appointment by the other directors of the district. A director thus appointed shall hold office for the balance of the term in which the vacancy occurs." 17. Strike out all of Section 36 of the printed Bill and in lieu thereof insert a new section to read as follows:

"Section 35. AMENDMENT. That Section 8247a57 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:

"Section 8247a57. RE-DIVISION OF DISTRICT. At least thirty days before the next general election of such district the board of directors thereof shall, if such district embraces or contains five hundred acres of land, or more, make an order dividing said district into three divisions as nearly equal in size as practicable, which shall be numbered, and one director shall be elected by and from each division."

18. Re-number Sections 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47 as Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46, respectively.

And when so amended, recommend the same do pass.

F. T. GRONVOLD, Chairman.

Senator Gronvold moved that the report of the Committee on Irrigation and Drainage on House Bill No. 311 be adopted without reading and printed in the Journal, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 385, have had the same under consideration and recommend that the same be amended as follows:

In line 2, after the word "monies" insert the following: "paid by counties for care of patients at the State Hospital, which is now."

In line 3, strike out the figures "\$115,500.00" and insert in lieu thereof the figures "\$110,000.00."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 186, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that action on the report be laid over one legislative day, which motion prevailed.

Senator Braun requested that the Senate be on the Eighth Order of Business.

Senator Braun moved that the Third House proceedings be broadcast over KFYR this evening at eight o'clock, in due form, and that the House be immediately notified of the approval of the Senate, which motion prevailed.

The President announced that the Senate would return to the Fifth Order of Business.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 375, have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 337, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 301, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 349, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 372, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 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, 44; nays, 0; absent and not voting, 5.

Those voting in th	e affirmative were:	
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog

Gronvold Olson, Mountrail Young Guenther Owings Absent and not voting:

Aandahl Gilbertson Lian Aasen Lavik

So the bill passed and the title was agreed to.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-THIRD DAY

The Senate convened at 2:00 P. M., with Senator Watt presiding.

Prayer by the Chaplain, Rev. Father Hildebrand Eickhoff. Roll call: All Senators present except Senators Gilbertson and Lavik.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-first Day After Recess and Fifty-second Day and recommend that the same be corrected as follows:

On page 621, lines 16 and 22, change the word "Senate" to "House."

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed, and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Olson from Mountrail presented petitions from several hundred residents of Mountrail county which were sent in by H. W. Dennis of Stanley, N. D., regarding:

FIRST: That a sufficient GROSS INCOME TAX be levied and the returns to be an absolute replacement tax for REAL and PERSONAL property taxes and for no other purposes.

SECOND: That all Homes and Farms, not exceeding 320 acres or of \$5,000.00 in value on which the owner resides shall be exempt from taxation.

THIRD: That a Gross Income Tax or Sales Tax be levied on all business, payable quarterly.

FOURTH: That all buyers of farm produce be made tax collectors under bonds.

FIFTH: That an income tax or sales tax be levied on all proceeds from farm to market, and

SIXTH: That the tax so levied shall be adequate to replace all real estate and personal property taxes and retire outstanding indebtedness against delinquent taxes.

Which were referred to the Committee on Taxes and Tax Laws.

Also petitions from several hundred residents of Mountrail county, requesting passage of "the bill for Medical Freedom," which was referred to the Committee on State Affairs.

Also petitions from 28 signers of Parshall, North Dakota, against the passage of House Bill No. 71, and against the advertising of liquor by radio and through the press, which was referred to the Committee on Temperance.

The President announced receipt of a petition signed by five patients of the sanatorium at Dunseith requesting passage of House Bill No. 388, which was referred to the Committee on Taxes and Tax Laws.

Also a communication from Edward B. Millard of Minot to the members of the Ways and Means Committee oppos-ing passage of the "Gross Income Tax Bill."

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

Senator Owings moved that Senate Resolution "D" as adopted February 21st, be printed in the Journal, which moton prevailed.

SENATE RESOLUTION "D"

Introduced by Committee on Education

WHEREAS, the records in the Land Department show 1 1a that

2 a large number of farm loans, farm contracts and farm 2a rental

3 contracts were made years ago to farmers, land specula-3a tors,

prominent attorneys, bankers, ex-bankers, educators, dis-4 trict judges, federal and state employes, land companies, 5

6 and business men of all descriptions, and

WHEREAS, it appears to the Educational Committee 7 7a of

8 this Senate that many of the mortgagors have had suf-8a ficient

9 income to enable them to meet all taxes and interest pay-10 ments when due, and

11 WHEREAS, many of the so called speculators took the 12

income from such lands for years without paying taxes, interest, or other costs, and finally gave the Department 13

merely a quit claim deed for settlement, and 14

WHEREAS, Section 153 of Article 9 of the State Con-15 15a sti-

tution provides, that all proceeds of the public lands that 16

have heretofore been, or may hereafter be granted by the 17

United States for the support of the common schools 18 18a in this

19 state: all such per centum as may be granted by the 19a United

20 States on the sale of public lands; the proceeds of prop-20a erty

21 that shall fall to the state by escheat; the proceeds of all

22 gifts and donations to the state for common schools, or 22a not

23 otherwise appropriated by the terms of the gift, and all 23a other

24 property otherwise acquired for common schools, shall be 25 and remain a perpetual fund for the maintenance of the 25a common

26 schools of the state. It shall be deemed a trust fund, the

principal of which shall forever remain inviolate and may 27

28 be increased, but never diminished. The state shall make

29 good all losses thereof, and 30 WHEREAS, we as legislators have taken an oath to 31 support the Constitution of the State of North Dakota 31a and

32 that we will faithfully discharge the duties of our office 33 to the best of our ability,

34 NOW THEREFORE, be it resolved that the Twenty-

sixth Legislative Assembly provide ample funds to pay all
 costs of collecting by suit or otherwise from those who are

37 able to make settlement.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 24, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

Which the Senate has indefinitely postponed.

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

House Bill No. 147. A Bill for an Act Ceding to the United State Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

Which the Senate has passed unchanged.

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

Which the Senate has amended.

WM. J. LOWE, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

	the affirmative were:	
Aandahl	Fowler	Morgan
Aasen	Fredrickson	Nelson, Grand Fks.
Beaton	Greiser	Nelson, McKenzie
Bilden	Gronvold	Olson, McHenry
Blank	Guenther	Raschko
Blaisdell	Guthrie	Topp
Brant	Hill	Trout
Bridston	Holl	Troxel
Braun	Isaak	Watt
Dahl	Lemke	Whelan
Drew	Leum	Wog
Flatt	Magoffin	
Those voting in	the negative were:	

Kamrath Skarvold Morrison Streibel Olson, Mountrail Stucke Owings

Absent and not voting:

Thatcher

Thorson Tweten

Young

Gilbertson Lavik

So the bill passed and the title was agreed to.

Lian

Senator Blaisdell moved that House Bill No. 103 be amended as follows:

In the title, line 11 after the word "therefore" insert a period and strike out the balance of the title.

Strike out all of Section 4.

Senator Blaisdell moved that the rules be suspended and that House Bill No. 103 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 103. 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 Therefore.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 13; absent and not voting, 5.

Those voting in the affirmative were:

Aasen	Greiser	Nelson, Grand Fks.
Bilden	Gronvold	Raschko
Blaisdell	Guenther	Thorson
Brant	Guthrie	Topp
Bridston	Hill	Trout
Braun	Holl	Troxel
Dahl	Leum	Watt
Drew	Magoffin	Whelan
Flatt	Morgan	Wog
Fowler	Morrison	Young
Fredrickson		

Those voting in	the negative were:	
Beaton	Nelson, McKenzie	Skarvold
Blank	Olson, McHenry	Streibel
Isaak	Olson, Mountrail	Stucke
Kamrath	Owings	Tweten

Absent and not voting:

Aandahl Gilbertson

Lemke

Thatcher

Gilbertson Lian So the bill passed and the title was agreed to.

Lavik

Senator Young moved that the vote by which House Bill No. 103 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morrison: Mr. President, I want to explain my vote. I am going to vote "aye" on this bill because I think it is a revenue producing bill and I am for anything that will produce revenue, in this Session. Therefore I vote "aye."

MESSAGES FROM THE HOUSE

House of Representatives,

Bismarck, February 24, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Which the House has adopted.

Mr. President: I have the honor to return:

Senate Bill No. 241. A Bill for an Act to Provide for the Better Enforcement and Collection of Personal Property Taxes by Providing for the Appointment of a Special Tax Collector; Prescribing His Duties, Authority and Compensation; and Declaring an Emergency.

Which the House has indefinitely postponed. MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

Was read the second time.

ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Those voting i	n the affirmative were:	
Aandahl	Guthrie	Skarvold
Beaton	Hill	Stucke
Bilden	Holl	Thorson
Blank	Lemke	Topp
Blaisdell	Magoffin	Trout
Bridston	Morgan	Troxel
Braun	Morrison	Watt
Drew	Nelson, Grand Fks.	Whelan
Fowler	Nelson, McKenzie	Wog
Fredrickson	Olson, Mountrail	Young
Greiser	Raschko	

Those voting in the negative were:

Aasen	Isaak	Owings
Brant	Kamrath	Streibel
Dahl	Leum	Thatcher
Gronvold	Olson, McHenr	y Tweten
Guenther		

Lavik

Absent and not voting:

Lian

Gilbertson

Flatt

So the Concurrent Resolution passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Greiser	Nelson, McKenzie
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Guthrie	Raschko
Blank	Hill	Skarvold
Dian		Mai vora

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FRIDAY, FEBRUARY 24, 1939

Blaisdell	Holl	Stucke
Brant	Kamrath	Thorson
Bridston	Lemke	Topp
Braun	Leum	Tweten
Dahl	Lian	Watt
Drew	Magoffin	Whelan
Flatt	Morgan	Wog
Fowler	Morrison	Young
Fredrickson	Nelson, Grand Fks.	

Those voting i	n the negative were:	
Isaak	Streibel	Trout
Owings	Thatcher	Troxel

Absent and not voting were:

Gilbertson Lavik

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 27. 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, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Magoffin	Trout
Dahl	Morgan	Troxel
Drew	Morrison	Tweten
Flatt	Nelson, Grand Fks.	Watt
Fowler	Nelson, McKenzie	Whelan
Fredrickson	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Absent and not	voting:	

Absent and not voting: Gilbertson Lavik Kamrath

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 24, 1939.

Lian

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or

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Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:AandahlGuentherOlson, MountrailAasenGuthrieOwingsBeatonHillRaschko

Aasen	Guunito	U wings	
Beaton	Hill	Raschko	
Bilden	Holl	Streibel	
Blank	Isaak	Stucke	
Blaisdell	Kamrath	Thatcher	
Brant	Lemke	Thorson	
Bridston	Leum	Topp	
Braun	Lian	Trout	
Dahl	Magoffin	Troxel	
Drew	Morgan	Tweten	
Flatt	Nelson, Grand Fks.	Watt	
Fredrickson	Nelson, McKenzie	Whelan	
Gronvold	Olson, McHenry	Wog	

Those voting in the negative were: Morrison

Absent and not voting:

Fowler	Greiser	Skarvold
Gilbertson	Lavik	Young
		and the second

So the bill passed and the title was agreed to.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-Three Dollrs (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	

Those voting in the negative were: Streibel Watt

Absent and no	ot voting were:	
Fowler	Greiser	Skarvold
Gilbertson	Lavik	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel: "Mr. President, I wish to explain my vote. I am going to vote 'no' on this bill because the cost of the coffin is excessive, therefore I vote 'no'."

The President resumed the Chair.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 24, 1939.

Mr. President: I have the honor to inform you that members of the House of Representatives have passed a motion, declaring themselves opposed to the broadcasting of the third House Program.

MINNIE D. CRAIG, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

I HOOC TOULAR A		
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Owings
Bilden	Hili	Raschko
Blank	Holl	Stucke

Blaisdell	Isaak	Thatche	r
Brant	Kamrath	Thorson	
Bridston	Lemke	Topp	
Braun	Leum	Trout	
Dahl	Lian	Troxel	
Drew	Magoffin	Tweten	
Flatt	Morgan	Whelan	
Fowler	Morrison	Wog	
Fredrickson	Nelson, Grand Fks.		

Those voting in the negative were: Olson, Mountrail Streibel

Absent and not	voting were:	
Gilbertson	Lavik	Watt
Greiser	Skarvold	Young

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Senator Olson of Mountrail: "Mr. President, I wish to explain my vote. I vote 'no' on this bill for the same reason as Senator Streibel stated on House Bill No. 392."

House Bill No. 7. 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, 42; nays, 0; absent and not voting, 7.

Those voting in the	affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lemke	Thatcher
Brant	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Absent and not vot	ing:	
Duidatan	Quelter.	C1

Bridston Greiser Skarvold Braun Lavik Young Gilbertson

So the bill passed and the title was agreed to.

House Bill No. 21. 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.

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ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in t	the affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Hill	Raschko
Beaton	Holl	Streibel
Bilden	Kamrath	Stucke
Blank	Lemke	Thatcher
Blaisdell	Leum	Thorson
Brant	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	
Absent and not	voting:	

Absent and no		
Bridston	Greiser	Skarvold
Braun.	Isaak	Young
Gilbertson	Lavik	

So the bill passed and the title was agreed to.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund. Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the	e affirmative were:	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Kamrath	Streibel
Bilden	Lemke	Stucke
Blank	Leum	Thatcher
Blaisdell	Lian	Thorson
Brant	Magoffin	Topp
Dahl		Trout
Drew	Morrison	Troxel
Flatt	Nelson, Grand Fks.	Tweten
Fredrickson	Nelson, McKenzie	Watt
Gronvold	Olson, McHenry	Whelan
Guthrie	Olson, Mountrail	Wog
Absent and not vo	ting:	
Bridston	Greiser	Lavik
Braun	Guenther	Skarvold
Fowler	Isaak	Young

Gilbertson

So the bill passed and the title was agreed to.

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lemke	Thatcher
Brant	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog

Absent and not voting:

Bridston	Greiser	Skarvold
Braun	Lavik	Young '
Gilbertson		

So the bill passed and the title was agreed to.

House Bill No. 25. 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, 42; nays, 0; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lemke	Thatcher
Brant	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Absent and not v	voting:	

Bridston	Greiser	Skarvold
Braun	Lavik	Young
Gilbertson		

So the bill passed and the title was agreed to.

House Bill No. 23. 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, 40; nays, 0; absent and not voting, 9.

Those voting in t	he affirmative were:	
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Owings
Bilden	Isaak	Raschko
Blank	Kamrath	Streibel
Blaisdell	Lemke	Stucke
Brant	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Topp
Flatt	Morgan	Trout
Fowler	Morrison	Troxel
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Tweten
Guenther Guthrie	Olson, McHenry	Wog
Absent and not	voting:	
Aandahl	Gilbertson	Skarvold

Aandahl	Gilbertson	Skarvold
Bridston	Greiser	Whelan
Braun	Lavik	Young
a 1		

So the bill passed and the title was agreed to.

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

nose voting in	the affirmative were:	
asen	Hill	Owings
eaton	Holl	Raschko
lank	Isaak	Streibel
laisdell	Kamrath	Stucke
rant	Lemke	Thatcher
raun	Leum	Thorson
ahl	Lian	Topp
rew	Magoffin	Trout
latt		
owler	Morrison	Tweten
redrickson	Nelson, Grand Fks.	Watt
ronvold	Nelson, McKenzie	
uenther	Olson, McHenry	
uthrie	Olson, Mountrail	U
bsent and not	voting:	
andahl	Gilbertson	Skarvold
lilden	Greiser	Young
ridston	Lavik	
latt owler redrickson ronvold uenther uthrie bsent and not andahl silden	Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie Olson, McHenry Olson, Mountrail voting: Gilbertson Greiser	Troxel Tweten Watt Whelan Wog

So the bill passed and the title was agreed to.

House Bill No. 28. 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Second Contraction	

Absent and not voting:

Aandahl Greiser Skarvold Gilbertson Lavik Young

So the bill passed and the title was agreed to.

The President announced that the Senate would return to the Fifth Order of Business for the reading of Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 11;

Senate Bill No. 39, and

Senate Bill No. 112.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

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Bismarck, February 24, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Senator Thatcher moved that on the completion of the Fifteenth Order of Business the Senate recess until 1:00 P. M. February 25th, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

And the President signed the same in the presence of the Senate.

And the Senate stood recessed until 1:00 P. M., February 25th, pursuant to Senator Thatcher's motion.

WM. J. LOWE, Secretary.

FIFTY-THIRD DAY AFTER RECESS AND FIFTY-FOURTH DAY

Bismarck, February 25, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 24th, with the President presiding.

Senator Gilbertson requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Gilbertson moved that the House be requested to return House Bill No. 171.

Senator Whelan demanded a call of the Senate which was granted.

Senator Fowler moved that the Senate proceed with the regular Order of Business, which motion prevailed.

The President announced that the Senate would be on the 5th Order of Business.

Senator Fowler moved that the report of the Committee on Taxes and Tax Laws on House Bill No. 186 as printed in the Journal of the Fifty-Fourth Day be adopted.

Senator Morrison made a substitute motion that House Bill No. 186 be placed on the calendar, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 99, have had the same under consideration and recommend that the same be amended as follows:

In line 5 of Section 2 of the Engrossed bill after the word "any" strike out the word "such" and in the same line after the word "of" insert the word "grazing".

In line 6 of Section 2 after the word "leased" insert the words "for grazing purposes".

In line 8 of Section 4, at the end of the line insert the word "state".

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same be indefinitely postponed.

B. W. LEMKE, Chairman.

Senator Lemke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred House Bill No. 309, have had the same under consideration and recommend that the same do pass.

B. W. LEMKE, Chairman.

Senator Lemke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred, House Bill No. 260, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the word "Children's", and in line 6 strike out "Welfare Bureau" and insert in lieu thereof "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the Senate do now recess for twenty minutes, which motion prevailed.

And the Senate stood recessed.

The Senate re-convened at the expiration of the twenty minute recess.

Senator Gilbertson requested that the Senate be on the 8th Order of Business.

Senator Gilbertson moved that the Senate request the House to return House Bill No. 171, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 25, 1939.

Mr. Speaker: The Senate requests the return of: House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Guthrie moved that the action by which House Bill No. 375 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Guthrie moved that House Bill No. 375 be rereferred to the Committee on Judiciary, which motion prevailed.

The President announced that the Senate would return to the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the word "Children's", and in line 6 strike out "Welfare Bureau" and insert in lieu thereof "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the word "Children's", and in line 6 strike out "Welfare Bureau" and insert in lieu thereof "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the word "Children's", and in line 6 strike out "Welfare Bureau" and insert in lieu thereof "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the word "Children's", and in line 6 strike out "Welfare Bureau" and insert in lieu thereof "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred, House Bill No. 20, have had the same under consideration and recommend that the same be amended as follows:

In line 6 strike out the words "Children's Welfare Bureau" and insert in lieu thereof the words "State Welfare Board".

In line 6 strike out the word "director" and insert in lieu thereof the words "executive secretary".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same be amended as follows.

In line 3 after the figure "\$15,000.00" insert the following language: "and such monies as may come to the interest and income and Federal Aid Funds or so much thereof as may be necessary not to exceed the sum of \$40,274.00".

In line 7 strike out the figure "\$3,750.00" and insert in lieu thereof the figure "\$13,818.50".

Following Section 1 insert a new section to read as follows:

SECTION 2. The Appropriation herein provided for the biennium July 1, 1939, to June 30, 1941, shall be used for the following:

1	Expense and per diem of Board Members\$	1,400.00
2	Salaries, Staff Members	9,960.00
3	Expense and per diem, Auditor	144.00
4	Employees and Home Members Employed	9,600.00
5		34,170.00

6

TOTAL\$ 55,274.00

Re-number Section 2 to read Section 3.

Re-number all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 31, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figures "\$163,420.00" and insert in lieu thereof the figures "\$159,920.00".

In line 13 strike out the figures "\$78,680.00" and insert in lieu thereof the figures "\$79,680.00".

In line 16 strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00".

In line 18 strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$5,000.00".

In line 19 strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$6,000.00".

In line 25 strike out the figures "\$163,420.00" and insert in lieu thereof the figures "\$159,920.00".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted and printed in the Journal without reading, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same be amended as follows:

In line 16 after the word "Miscellaneous" insert a "comma" and the words "including card index".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 25, 1939.

Mr. President: I have the honor to return: Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

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REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 216, have had the same under consideration and recommend that the same do pass. A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 25, 1939.

Mr. President: I have the honor to return:

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency. Which the Senate asked for.

MINNIE D. CRAIG, Chief Clerk.

Senator Troxel requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Troxel moved that the action by which House Bill No. 171 was indefinitely postponed be reconsidered.

Senator Fowler demanded a Call of the Senate, which was granted.

Senator Fowler moved that further proceedings under the Call of the Senate be dispensed with, which motion prevailed.

Senator Guthrie moved that the Senate do adjourn because of the fact that the Senate is now extending the limits of a legislative day beyond the legal length of a legislative day, which cannot be done without changing the rules, which motion lost.

The question now being on the motion of Senator Troxel that the action by which House Bill No. 171 was indefinitely postponed be reconsidered, Senator Fowler demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Troxel, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2. ting in the -

Those voting in	the affirmative were:	
Beaton	Kamrath	Skarvold
Bilden	Lemke	Streibel
Blank	Morrison	Stucke
Brant	Nelson, McKenzie	Thatcher
Braun	Olson, McHenry	Thorson
Gilbertson	Olson, Mountrail	Trout
Hill	Owings	Troxel
Holl	Raschko	Tweten
Isaak		

Those voting in t	the negative were:	
Aandahl	Fredrickson	Morgan
Aasen	Greiser	Nelson, Grand Fks.
Blaisdell	Gronvold	Topp
Bridston	Guenther	Watt
Dahl	Guthrie	Whelan
Drew	Leum	Wog

Flatt Magoffin Young Fowler

Absent and not voting: Lavik Lian

So the motion of Senator Troxel prevailed.

Senator Troxel moved that House Bill No. 171 be placed at the head of the calendar, which motion prevailed.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 351, have had the same under consideration and recommend that the same do pass. A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which

motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same do pass. A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-FOURTH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Rev. Father Hildebrand Eickhoff. Roll call: All Senators present except Lavik and Lian.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-second Day After Recess and Fifty-third Day and found the same correct.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, February 25, 1939.

Mr. Speaker: I have the honor to return: House Bill No. 97. A Bill for an Act Making an Appro-

priation of \$362.00 for the Purpose of Paying the Funeral

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Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an **Emergency**.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 103. 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 Therefore.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

Which the Senate has amended.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for 2 Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

House Bill No. 23. 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.

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

House Bill No. 28. A Bill for an Act Making an Appro-

priation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

House Bill No. 21. 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.

House Bill No. 7. 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.

House Bill No. 27. 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.

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Concurrent Resolution No. 91 made the following report:

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution No. 91, have had the same under consideration and recommend that the Senate recedes from the following amendment which reads as follows:

In line 12, strike out the words "any measure" and in line 13, strike out the period after the word "petition" and add the following: "Any measure introduced in or amended and rejected by the Legislative Assembly in the regular or special session next preceding such election." The House accepts the remainder of the Senate amendments.

For the Senate:	For the House:
M. R. Young	J. M. Anderson
Andrew Skarvold	Leonas Myers
Robert Greiser	

Senator Young moved that the Senate do concur in the House amendments to House Concurrent Resolution No. 91, which motion prevailed.

Senator Young moved that the rules be suspended and that House Concurrent Resolution No. 91 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution

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of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

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, 35; nays, 7; absent and not voting, 7.

	the affirmative were:	• •
Aasen	Gronvold	Owings
Beaton	Guenther	Raschko
Bilden	Guthrie	Skarvold
Blank	Hill	Streibel
Blaisdell	Isaak	Topp
Brant	Lemke	Trout
Bridston	Leum	Troxel
Dahl	Morgan	Watt
Drew	Morrison	Whelan
Fowler	Nelson, Grand Fks.	Wog
Fredrickson	Nelson, McKenzie	Young
Gilbertson	Olson, McHenry	

Those voting in Holl	Stucke	were:	Thorson
Kamrath	Thatcher		Tweten
Olson, Mountrail			

Absent and not voting: Aandahl Greiser Braun Lavik Flatt

So the Concurrent Resolution passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Lian

Magoffin

Bismarck, February 25, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has accepted the Conference Committee report on House Concurrent Resolution No. 91.

WM. J. LOWE, Secretary.

Senator Young moved that the Conference Committee on House Concurrent Resolution No. 91 be discharged, and that the Journal show that Senators Young, Skarvold and Greiser be shown as absent and not voting on roll calls, because of being on Conference Committee, which motion prevailed.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

The President announced that the Senate would be on the Ninth Order of Business for the Consideration of Messages from the House.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 25, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Which the House has amended as follows:

Line 8, after word "operator," insert the words "except drivers' license fees."

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 90, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and that Senate Bill No. 90 be considered properly engrossed and placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to 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, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those vot	ting in t	the aff	irmative	were:
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Inose voting in th	e allimative were.	
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lemke	Topp
Dahl	Leum	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gilbertson	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Gronvold	Owings	
Absent and not ve	oting were:	
Aandahl	Lavik	Magoffin
Braun	Lian	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber.

Bismarck, February 25, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 25, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Which the House has amended as follows:

In line 45 strike out after the word "had" to the end of the line.

Strike out all of line 46, and insert "by a" at the beginning of line 47.

At the beginning of line 46, re-number all lines to bottom of Resolution.

In lines 25, 27, 40, strike out the word "majority" and in lieu thereof insert the word "sixty".

MINNIE D. CRAIG, Chief Clerk.

Senator Wog moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 135 and that a Conference Committee be appointed, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 25, 1939.

Mr. Speaker: I have the honor to inform you that the Senate refused to concur in the House amendment to:

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

And the President has appointed as a conference committee to act with a like committee from the House, Senators: Wog, Blaisdell and Watt.

WM. J. LOWE, Secretary.

FIRST READING OF SENATE CONCURRENT RESOLUTION

The Committee on Agriculture and Livestock introduced: Senate Concurrent Resolution No. 285. A concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Was read the first time and referred to the Committee on Agriculture and Livestock.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 25, 1939.

Mr. President: I have the honor to transmit: House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937. House Bill No. 147. A Bill for an Act Ceding to the United State Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief. Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree planting.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 39, Senate Bill No. 112 and Senate Bill No. 11 were delivered to the Governor for his approval at the hour of 3:40 o'clock P. M. February 25, 1939.

W. J. TROUT, Chairman.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

The President announced that the Senate would be on 11th Order of Business.

Senator Tweten demanded a Call of the Senate, which was granted.

Senator Thatcher moved that the Call of The Senate be dispensed with, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; 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, 27; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blank	Lemke	Streibel
Brant	Morgan	Stucke
Braun	Morrison	Thatcher
Gilbertson	Nelson, McKenzie	Thorson
Greiser	Olson, McHenry	Troxel
Hill	Olson, Mountrail	Trout
Holl	Owings	Tweten

Those voting in t	he negative were:	
Aandahl	Fowler	Nelson, Grand Fks.
Aasen	Fredrickson	Торр
Blaisdell	Gronvold	Watt
Bridston	Guenther	Whelan
Dahl	Guthrie	Wog

Leum

Drew Flatt

Young

Absent and not voting: Lavik Lian

Magoffin

So the bill passed and the title was agreed to and the Emergency Clause was declared lost.

Senator Tweten moved that the vote by which House Bill No. 171 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Aasen: Mr. President, I wish to explain my vote. I cannot vote for this bill because it will mean an additional expense of \$35,000 to the state, when no need can be shown for same. Therefore, I vote "No".

Senator Bridston requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Bridston moved that House Bill No. 260 be placed at the head of the calendar, which motion prevailed.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation 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, 40; nays, 5; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Owings
Bilden	Guenther	Raschko
Blank	Guthrie	Skarvold
Blaisdell	Hill	Streibel
Brant	Isaak	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Topp
Dahl	Morgan	Trout
Drew	Morrison	Troxel
Flatt	Nelson, Grand Fks.	Tweten
Fowler	Nelson, McKenzie	Whelan
Fredrickson	Olson, McHenry	Wog
Gilbertson	Olson, Mountrail	Young
Greiser		
Those voting in the	negative were:	
Aasen	Holl	Thorson
Beaton	Kamrath	
Absent and not vor	ting:	
Lavik	Magoffin	Watt
Lian		
So the bill passed a	and the title was agr	eed to.

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Senator Young moved that the vote by which House Bill No. 260 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of Nortth Dakota for the Year 1937; 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, 46; nays, 0; absent and not voting, 3.

Those voting in	h the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatcher
Brant	Kamrath	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Morgan	Troxel

Beaton	Guthrie	Skarvol
Bilden	Hill	Streibel
Blank	Holl	Stucke
Blaisdell	Isaak	Thatche
Brant	Kamrath	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Morgan	Troxel
Drew	Morrison	Tweten
Flatt	Nelson, Grand Fks.	Watt
Fowler	Nelson, McKenzie	Whelan
Fredrickson	Olson, McHenry	Wog
Gilbertson	Olson, Mountrail	Young
Greiser	,	

Lian

Absent and not voting:

Lavik

Magoffin

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke

Blaisdell	Isaak	Thorson
Brant	Kamrath	Topp
Bridston	Lemke	Trout
Braun	Leum	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, McKenzie	Whelan
Fredrickson	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Gronvold	Owings	

Absent and not voting:Nelson, Grand Fks.AandahlLavikNelson, Grand Fks.DahlLianThatcherGilbertsonMagoffin

So the bill passed and the title was agreed to.

Senator Watt moved that House Bill No. 61 be re-referred to the Committee on Agriculture and Livestock, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

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, 42; nays, 1; absent and not voting, 6.

Those voting in th	e affirmative were:	
Aandahl	Greiser	Olson, Mountrail
Aasen	Gronvold	Owings
Beaton	Guenther	Skarvold
Bilden	Hill	Streibel
Blank	Holl	Stucke
Brant	Isaak	Thorson
Bridston	Kamrath	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young

Those voting in the negative were: Blaisdell

Absent and not voting:

GuthrieLianRaschkoLavikMagoffinThatcherSo the Concurrent Resolution passed and the title was

agreed to.

The President called Senator Whelan to the Chair.

SECOND READING OF HOUSE BILLS House Bill No. 300. A Bill for an Act to Amend and Re-

enact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aandahl	Gronvold	Owings
Aasen	Guthrie	Skarvold
Beaton	Hill	Streibel
Bilden	Holl	Stucke
Blank	Isaak	Thorson
Blaisdell	Kamrath	Topp
Brant	Lemke	Trout
Braun	Leum	Troxel
Dahl	Morgan	Tweten
Drew	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser	Olson, Mountrail	
Absent and not v	oting:	

Bridston	Lavik	Raschko
Flatt	Lian	Thatcher
Guenther	Magoffin	2 - X 2 (2 X 2 X 2 X 2 X 2 X 2 X 2 X 2 X 2
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So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Brant	Isaak	Stucke
Braun	Kamrath	Thorson
Dahl	Lemke	Topp
Drew	Leum	Trout
Fowler	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Whelan

Those voting in the negative were: Blaisdell Flatt

Absent and not Bridston	woting: Magoffin	Wog
Lavik	Raschko	Young
Lian	Thatcher	

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Blaisdell moved that House Bill No. 311 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the	affirmative were:	
Aandahl	Greiser	Olson, Mountrail
Aasen	Gronvold	Owings
Beaton	Guenther	Skarvold
Bilden	Guthrie	Streibel
Blank	Hill	Stucke
Blaisdell	Holl	Thatcher
Brant	Isaak	Thorson
Bridston	Kamrath	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Young
Gilbertson	Olson, McHenry	
Absort and not was	timore	

Absent and not voting:

Lavik

Wog

Lian Raschko So the bill passed and the title was agreed to, and the

Magoffin

emergency clause was declared carried.

Senator Fowler moved that House Bill No. 337 be amended as follows:

In lines 6 and 8 of the title after the word "administration" insert the words "or its successor."

In lines 5 and 14, after the word "administration" insert the words "or its successor," which motion prevailed.

Senator Guthrie moved that the rules be suspended and that House Bill No. 337 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon

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Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May Be Commenced; Specifying the Proceedings May Which Custody of Children Involved in Such Proceedings May Be Changed; and Declaring That an Emergency Exists.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guenther	Skarvold
Beaton	Guthrie	Streibel
Blank	Hill	Stucke
Blaisdell	Holl	Thatcher
Brant	Isaak	Thorson
Bridston	Kamrath	Topp
Braun	Lemke	Trout
Dahl	Leum	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Bilden	Lian	Raschko
Lavik	Magoffin	

So the bill passed and the title was agreed to, and the **Emergency** Clause declared carried.

The President resumed the Chair.

Senator Blaisdell moved that Senate Bill No. 301 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in th	e affirmative were:	
Aandahl	Greiser	Owings
Aasen	Gronvold	Skarvold
Beaton	Guenther	Streibel
Bilden	Guthrie	Stucke
Blank	Hill	Thatcher
Blaisdell	Holl	Thorson
Brant	Isaak	Topp

Bridston	Kamrath	Trout
Braun	Lemke	Troxel
Dahl	Leum	Tweten
Drew	Morgan	Watt
Flatt	Nelson, Grand Fks.	Whelan
Fowler	Nelson, McKenzie	Wog
Fredrickson	Olson, McHenry	Young
Gilbertson	Olson, Mountrail	

Those voting in the negative were: Morrison

Absent and not voting: Lavik Magoffin Raschko Lian

So the bill passed and the title was agreed to.

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Greiser	Olson, Mountrail
Gronvold	Owings
Guenther	Skarvold
Guthrie	Streibel
Hill	Stucke
Holl	Thatcher
Isaak	Thorson
Kamrath	Topp
Lemke	Trout
Leum	Troxel
Morgan	Tweten
Morrison	Watt
Nelson, Grand Fks.	Whelan
	Wog
Olson, McHenry	Young
	Gronvold Guenther Guthrie Hill Holl Isaak Kamrath Lemke Leum Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Absent and not voting:

Raschko

Lavik Lian

So the bill passed and the title was agreed to.

Magoffin

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide that the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 147. A Bill for an Act Ceding to the United States Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120. Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Blaisdell moved that the Senate be on the 11th Order of Business for the second reading of House Bills No. 311 and No. 301 without roll calls, and that on the completion of the second reading of House Bills No. 311 and No. 301, the Senate recess until 1:00 P. M. February 27th, which motion prevailed.

And the Senate stood recessed until 1:00 P. M. February 27th, pursuant to the motion of Senator Blaisdell.

WM. J. LOWE, Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND FIFTY-SIXTH DAY

Bismarck, February 27, 1939.

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The Senate re-convened at 1:00 P. M., pursuant to recess taken, February 25th, with the President presiding.

Senator Stucke requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Stucke moved that House Bill No. 10 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Stucke moved that House Bill No. 12 be rereferred to the Committee on Appropriations, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 212, and

Senate Bill No. 90,

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same be amended as follows:

In line 4, after the word "appropriated," insert the following language: "such monies as may come to the license fee fund of the Boxing Commission, or so much thereof as may be necessary not to exceed."

Re-number all lines in numerical order.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 36, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$12,530.00" and insert in lieu thereof the figures "\$14,530.00."

Following line 21, insert a new line to read as follows:

"St. Topographic Map by N. H. Darton" and insert the figures "\$2,000.00."

In line 22, strike out the figures "\$12,530.00" and insert in lieu thereof the figures "\$14,530.00."

Re-number all lines in numerical order.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 356, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 312, have had the same under consideration and recommend that the same be amended as follows:

In line 7, of the printed bill, after the word "state," strike out the balance of the line and insert a period. Strike out all of lines 8, 9, 10, 11, 12, and in line 13, strike out all but the word "Such."

In line 23, strike out the House Amendment and change the semi-colon to a period after the figures "1913."

And when so amended, recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Concurrent Resolution No. 225, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 195, have had the same under consideration and recommend that the same do pass.

T. E. WHELAN, Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 270, have had the same under consideration and recommend that the same do pass.

ED. A. HILL, Chairman.

Senator Hill moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 44, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bll No. 6, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 33, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 131, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

In line 4, strike out the figures "\$119,000.00" and insert in lieu thereof the figures "\$105,300.00."

In line 29, strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$3,500.00."

In line 30, strike out the figures "\$55,000.00" and insert in lieu thereof the figures "\$30,000.00."

Following line 30, insert a new line to read "Construction Bond guarantee fund" and insert the figures "\$45,000.00."

In line 32, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

In line 35, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$7,000.00."

Strike out all of lines 36, 37, 38 and 39.

In line 43, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$1,000.00."

In line 44, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$500.00."

In line 46, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

In line 47, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,600.00."

In line 51, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$3,000.00."

In line 52, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$1,000.00."

In line 55, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$1,000.00."

In line 59, strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$5,600.00."

In line 62, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,600.00."

In line 63, strike out the figures "\$119,000.00" and insert in lieu thereof the figures "\$105,300.00."

Renumber all lines in numerical order.

And when so amended recommend the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted and printed in the Journal without reading which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$41,745.00" and insert in lieu thereof the figures "\$42,945.00."

In line 8, strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$6,000.00."

In line 22, strike out the figures "\$41,745.00" and insert in lieu thereof the figures "\$42,945.00." And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Blaisdell moved that the report be adopted, without reading, and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$57,420.00" and insert in lieu thereof the figures "\$58,420.00."

In line 10, strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$6,000.00."

In line 13, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,000.00."

In line 21, strike out the figures "\$7,600.00" and insert in lieu thereof the figures "\$7,000.00."

In line 27, strike out the figures "\$600.00" and insert in lieu thereof the figures "\$500.00."

In line 28, strike out the figures "\$57,420.00" and insert in lieu thereof the figures "\$58,420.00."

And when so amended recommend the same do pass. WM. WATT, Chairman.

Senator Blaisdell moved that the report be adopted, without reading, and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 11, have had the same

under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$33,740.00" and insert in lieu thereof the figures "\$34,590.00."

In line 11, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$3,200.00."

In line 13, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$800.00."

Following line 24, insert a new line to read: "Travel Expense" and insert the figures "\$350.00."

In line 26, strike out the figures "\$33,740.00" and insert in lieu thereof the figures "\$34,590.00."

Re-number all lines in numerical order.

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Blaisdell moved that the report be adopted, without reading, and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 291, have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD, Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 274, have had the same under consideration and recommend that the same be amended as follows:

In Section 3 of the printed bill, and also of the engrossed bill, after the word "Commission" appearing at the beginning of line 2, strike out the balance of the section and in lieu thereof insert the following:

"There is hereby created a commission to be known as the "State Water Conservation Commission." The Commission shall consist of the Governor and three 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 judicial procedure. In case of vacancy, the vacancy shall be filled by appointment by the Governor. The Governor shall appoint one member for a term of two years; one member for a term of four years and one member for a term of six years, ending July 1, 1941, 1943 and 1945, inclusive. Thereafter each new member shall be appointed and serve for a period 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."

And when so amended, your committee recommends that the same do pass.

F. T. GRONVOLD, Chairman.

Senator Gronvold moved that the report be adopted and

printed in the Journal without reading, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 150, have had the same under consideration and return without recommendation.

WM. WATT, Chairman.

Senator Blaisdell moved that further consideration of House Bill No. 150 be indefinitely postponed.

Senator Stucke made a substitute motion that House Bill No. 150 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 277, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and substitute the following:

For an Act to Amend Section 10145 B1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Three and Two-tenths Per Cent (3.2%) of Alcohol or less by Weight, Prohibiting the Sale of the Same on Sunday, Making Unlawful the Sale Thereof to Certain Persons, Repealing Section 10105 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and Acts Amendatory Thereof.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) That Section 10145 B1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota be amended to read as follows:

SECTION 10145 B1. DEFINING INTOXICATING LI-QUORS.) The following liquors are hereby declared to be intoxicating, and the following shall be presumed by the Courts to be intoxicating, viz: alcohol, whiskey, brandy, rum and gin; in addition to the foregoing, any beer, ale, porter and wine, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing in excess of three and two tenths (3.2%) per cent of alcohol by weight, which are fit or intended for use for beverage purposes; provided that the foregoing definition shall not extend to sweet fruit juices or de-alcoholized wine nor to any beverage or liquid produced by the process by which beer, ale and porter and wine are produced, if it contains three and two tenths (3.2%) per cent or less of alcohol by weight; provided, further that none of such beverages defined as non-intoxicating shall be sold on Sunday, and provided further that no retailer or wholesaler of any such beverage as herein defined, or any brewery established within this state, shall be permitted to sell any such beverage as herein defined to a minor, incompetent person, Indian as defined by Federal law, or a person who is an inebriate or habitual drunkard.

SECTION 2. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction therefor shall be punished by a fine of not less than one hundred (\$100.00) dollars, not more than one thousand (\$1,000.00) dollars or imprisonment in the county jail, for a period of not more than six months, or both; for a second offense the same penalties shall be assessed, and in addition thereto the license of the offender shall be revoked.

SECTION 3. REPEAL.) Section 10105 of the 1913 Compiled Laws of the State of North Dakota and Acts amendatory thereof, and all Acts and Parts of Acts in Conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman. Senator Fowler moved that the report be adopted, and

printed in the Journal without reading, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 175, have had the same under consideration and recommend that the same be amended as follows:

The amendments are made upon the engrossed bill.

1. In line four (4) after the word "beverages" insert a "comma" and the language "excluding malt beverages,".

2. Strike out sub-sections (a), (b) and (c) of Section 1, and insert in lieu thereof the following:

(a) On all sales of alcoholic beverages, excluding malt beverages, containing more than 4% of alcohol by weight but not more than 24% of alcohol by weight, a tax equal to 7% of the sale price.

(b) On all sales of alcoholic beverages containing not more than 50% but not less than 24% alcohol by weight, a tax equal to 8% of the sale price.

(c) On all sales of alcohol and alcohol substitutes, regardless of proof, a tax equal to 20% of the sale price.

The authority is hereby vested in the State Treasurer of the State of North Dakota to determine what constitutes alcohol substitutes.

3. After Section 2 of the engrossed bill insert new section 3, as follows:

SECTION 3. Fifteen days after the expiration of the first calendar month after the effective date of this Act all licensed wholesale liquor dealers are required to file with the State Treasurer a list showing the respective prices to retailers of all alcohol and alcoholic beverages coming within the terms of this Act, which list shall be sworn to by any duly authorized officer of the respective wholesaler, and which lists may be amended from time to time by wholesalers by the filing of sworn additions thereto, such amendments to be effective under this Act five days after such filing.

4. Change Section 3 of engrossed bill to Section 4.

5. After re-numbered Section 4 insert new section 5, as follows:

SECTION 5. The tax herein imposed shall be computed on the sale price of the merchandise sold as shown by the list and amendments thereto filed under the provision of Section 3, unless the price shown on the invoices required to be filed under Section 4 shall be greater than that appearing in the list, and then the tax shall be computed on the price appearing on the invoice.

Re-number Section 4 of the engrossed bill as Section 6.
 Re-number Section 5 of the engrossed bill as Section 7.
 Re-number Section 6 of the engrossed bill as Section 8.
 Re-number Section 7 of the engrossed bill as Section 9.

And when so amended recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 194, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and substitute the following:

For an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing 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:

That Section 1, Chapter 240 of the SECTION 1. 1 Session Laws of North Dakota for 1937 be amended and 2

3 re-enacted to read as follows:

(1) All delinquent real and personal 1 SECTION 1. 1a property

2 taxes, except as hereinafter provided, for the year 1937 2a and prior

3 years, together with accrued interest and penalties there-3a on, shall

4 be cancelled and discharged in full upon the payment 4a of the full

5 amount of the original tax; provided that all payments 5a hereunder

6 must be made on or before March 1, 1940; and, provided, 6a further, that

7 such taxes shall remain payable separately according to 7a years, and

8 any person, or corporation, having an interest in, or lien, 8a or mort-

gage upon any property affected by this Act shall be 9 9a entitled to

10 take advantage of the provisions hereof. This Act shall 10a not apply

11 to any real estate taxes, the tax certificates for which 11a have been

12 sold or assigned to any purchaser other than the County, 12a nor to

13 special assessments levied for local improvements, nor

13a special assess-

14 ments levied by drainage or irrigation districts.

15 (2) The auditors and treasurers of each county shall 15a accept in

16 full payment and discharge of all such delinquent real 16a estate taxes,

17 including interest and penalty thereon, payments made in 17a accordance

18 with the provisions of this Act, and the Sheriff of each 18a county

19 shall accept in full payment of all delinquent personal 19a property

20 taxes, including interest and penalties, payments made 20a hereunder.

21 (3) The Board of County Commissioners may, upon 21a application of

22 any person owning property upon which taxes, either 22a real or personal,

23 are delinquent for the year 1937, or prior years, permit 23a the payment

24 of any such delinquent taxes, except special assessments 24a levied for

25 local improvements and special assessments levied by 25a drainage or

26 irrigation districts, on the reduced amounts herein-26a before provided

27 for, in not to exceed ten (10) annual installments, with-27a out interest,

28 payable on or before October 15th of each year, pro-28a vided that

29 ten per cent (10%) of the principal is paid when the 29a extension is

30 allowed, ten per cent (10%), on the following October 30a 15th, and

31 ten per cent (10%) on each succeeding year until the 31a amount is fully

32 paid; and upon the payment in full of such installments, 32a with accrued

33 interest, such delinquent taxes shall be cancelled and 33a discharged

34 of record.

1 SECTION 2. That Section 2 of Chapter 240, of the 1a Session Laws

2 of North Dakota for 1937 be and the same is hereby 2a amended and re-

3 enacted as follows:

4 SECTION 2. The Board of County Commissioners 4a shall require

5 the owner of the property upon which there is delinquent 5a taxes

6 and who applies for an extension hereunder, to enter 6a into a contract

7 with the county wherein the owner agrees to pay the full 7a amount of

8 the balance of the principal of such delinquent taxes; 8a provided that

9 no owner shall be entitled to enter into such an extension 9a contract

10 unless he shall have first paid any delinquent taxes 10a for the 11 year 1938, and subsequent years; and, provided, further, 11a that such

12 owner shall stipulate in his contract that if he fails to pay

13 taxes subsequently to become due against his property 13a located

14 within said County on or before the date of delinquency, 14a his

15 contract may be cancelled.

1 SECTION 3. That Section 3 of Chapter 240 of the 1a Session Laws

2 of North Dakota for 1937 be and the same is hereby 2a amended and

3 re-enacted, as follows:

4 SECTION 3. Upon the execution and delivery of an 4a extension

5 contract as herein provided, all proceedings for the 5a collection

6 of delinquent taxes, including any tax deed proceedings, 6a which may

7 be pending, shall be suspended and shall remain sus-7a pended while

8 such contract is in force; provided, that upon the fail-8a ure of the

9 owner, or his successor in interest, to pay one or more 9a installments

10 due upon such contract, or upon the failure to pay any 10a installments

11 of taxes for the year 1938, or any subsequent years, 11a prior to the

12 date of delinquency, the Board of County Commissioners 12a shall have

13 the power, in its discretion, to declare such contract 13a cancelled,

14 and thereupon the proper officers shall proceed to en-14a force the

15 collection, in the manner provided by law, of the full 15a amount of

16 the unpaid delinquent taxes, with penalty and interest, 16a as though

17 no extension contract had been made.

1 SECTION 4. That Section 4 of Chapter 240 of the 1a Session Laws

2 of North Dakota, for 1937 be amended and re-enacted 2a to read as follows:

3 SECTION 4. Any owner who has entered into an 3a extension con-

4 tract under the provisions of Chapter 240 of the Session 4a Laws of

5 North Dakota for 1937 and which contract is in force 5a when this Act

6 goes into effect, shall be entitled to take advantage of the 7 provisions of this Act upon complying with all of the

7a provisions

8 hereof. Any owner who has entered into an extension 8a contract, or

9 his successor in interest, or any lien or mortgage holder, 9a shall

10 have the right to pay the full amount remaining unpaid 10a upon such

11 extension contract, at any time while such contract is 11a in force.

1 SECTION 5. It is hereby declared to be the object and la purpose

2 of this Act to provide for the payment of the delinquent 2a taxes

3 herein specified upon the reduced basis herein provided 3a in order to

4 permit taxpayers to place themselves upon a current 4a tax-paying basis

5 but it is also declared to be the future fixed policy of 5a this State

6 that no further reductions in the payment of taxes 6a shall be given,

7 and that no further extension of the period of redemp-7a tion from tax

8 sales or suspension of the issuance of tax deeds shall 8a be granted.

1 SECTION 6. All Acts and Parts of Acts in conflict 1a herewith

2 are hereby repealed, except that such parts of Chapter 2a 240 of the

3 Session Laws of North Dakota for 1937 as may be 3a necessary for the

4 enforcement of any contracts made pursuant thereto, 4a shall remain

5 in force.

1 SECTION 7. An emergency is hereby declared to la exist and this

2 Act shall be in full force and effect from and after 2a its passage

3 and approval.

And when so amended, recommend the same do pass.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, without reading, and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 70, have had the same under consideration and recommend that the same go on the calendar without recommendation.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred:

House Bill No. 257, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred:

House Bill No. 120, have had the same under consideration and recommend that the same be amended as follows: In line 3 on page 4 of the printed bill strike out the words "or adjacent to."

In line 6 after the word "sediment" strike out the period, insert a comma and the following: "and such containers, when delivered to carriers shall be so equipped as to prevent contamination in transit."

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 396, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 82, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 158, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced that House Bill No. 158 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 320, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman

Senator Thorson moved that the report be adopted, which which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same do pass and be re-referred to Committee on Appropriations. HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced that House Bill No. 105 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same be indefinitely postponed.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Concurrent Resolution No. 285, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Concurrent Resolution No. 248, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced that House Bill No. 151 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Railroads to whom was referred:

House Bill No. 168, have had the same under consideration and recommend that the same be amended as follows:

In line 15 change the word "eight" to "six."

And when so amended recommend the same do pass.

PHIL W. BLANK, Chairman.

Senator Blank moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 310, have had the same under consideration and recommend that the same do pass. HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

In line 2, after the word "Treasury" insert the following language: "in the Coal Mine Inspection Fund."

In line 3, strike out the figures "\$9,210.00" and insert in lieu thereof the figures "\$9,510.00."

In line 18, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,500.00."

In line 21, strike out the figures "\$9,210.00" and insert in lieu thereof the figures "\$9,510.00."

And when so amended recommend the same do pass.

WM. Watt, Chairman.

Senator Braun moved that the report be adopted without reading and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 157, have had the same under consideration and recommend that the same be amended as follows:

In line 1, after the word "Appropriation.)" strike out the balance of the line. Strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9 and that portion of line 10 to and including the word "Fund;"

In line 10, capitalize the "t" in the word "there."

In line 12, strike out the figures "\$4,080.10" and insert in lieu thereof the figures "\$3,086.35."

Strike out all of line 20.

In line 22, strike out the figures "\$750.00" and insert in lieu thereof the figures "\$550.00."

Strike out all of line 23.

In line 24, strike out the figures "\$550.00" and insert in lieu thereof the figures "\$512.50."

In line 26, strike out the figures "\$125.00" and insert in lieu thereof the figures "\$93.75."

In line 27, strike out the figures "\$250.00" and insert in lieu thereof the figures "\$125.00." Strike out all of line 28.

In line 29, strike out the figures "\$4,080.10" and insert in lieu thereof the figures "\$3,086.35."

Renumber all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Stucke moved that the report be adopted and printed in the Journal without reading, which motion prevailed, and the report was adopted.

Senator Watt moved that the report of the Committee on Agriculture and Livestock on House Bill No. 61 as printed on page 624 of the Senate Journal, be adopted, and that House Bill No. 61 be placed on the calendar, which motion prevailed.

Mr. President: A majority of your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 95, have had the same under consideration and recommend that the same be indefinitely postponed.

> ED. A. HILL A. N. LAVIK J. L. FLATT WALTER TROXEL OTTO TOPP FRANK H. BEATON E. MAGOFFIN BEN GILBERTSON

Mr. President: A minority of your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 95, have had the same under consideration and recommend that the same do pass.

> GUST TWETEN WILLIAM KAMRATH AXEL OLSON HERMAN THORSON ANDREW SKARVOLD MARTIN OLSON

Senator Thorson moved that the report of the minority of the Committee on Agriculture and Livestock on House Bill No. 95 be adopted.

Senator Troxel made a substitute motion that the word "majority" be substituted for the word "minority", which motion prevailed.

Senator Watt moved that the vote on the report of the majority of the Committee on Agriculture and Livestock to indefinitely postpone House Bill No. 95 be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 27, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency. Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-Three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

House Bill No. 103. 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 Therefore.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 27, 1939.

To the President and Members of the Senate, 26th Legislative Assembly, Bismarck, North Dakota. Gentlemen:

I have heretofore called your attention to the financial condition of the State Mill and Elevator. The last audit covering the operations up to and until December 31st, 1938, has just been completed. This audit shows the Mill to be in a desperate financial condition so far as operations are concerned.

Your attention is respectfully called to the fact that the loss of the Mill and Elevator Association during the calendar year of 1938 is \$544,509.75, as shown on page nine of the attached audit report.

This audit shows the Mill and Elevator to be indebted to the Bank of North Dakota in a sum amounting to \$556,269.03, plus interest amounting to \$5,124.69. (This loan does not include the amount borrowed from the Bank in connection with the durum wheat program.) The law (Section 368c6 of the 1925 Supplement) provides, among other things, that the Industrial Commission is expressly authorized to borrow money from The Bank of North Dakota for the conduct of its business, but "the total amount of such money so loaned the association shall at no time exceed the sum of \$500,000.00 over and above the amount due The Bank of North Dakota ***at the time of the passage and approval of this Act."

I am a member of the Industrial Commission and feel bound to observe the law. Therefore, if the Mill is to continue to operate I feel the State must, in some manner, advance the money for such operation. I am just in receipt of the audit referred to herein, together with a letter from J. M. Shirek, the Auditor, and have gone over the matter with John Graham, the State Examiner.

For your information, I transmit a copy of Mr. Shirek's letter, together with a copy of the last audit. I respectfully request that this letter and the remarks of the Auditor be called to the attention of all the members of the Senate and House.

May I suggest that each body of the Legislature appoint a committee to go over the Mill situation with the Auditor and the State Examiner and myself.

I have consistently maintained that the State Mill would have a better chance of success were it not controlled by officials dependent upon election, and have advocated a nonpolitical board to handle its affairs. May I suggest that you consider this audit in connection with those bills that have as their object the control of our industries by such a Board?

Respectfully yours,

JOHN MOSES, Governor.

Hon. John Moses, Governor, State of North Dakota, Bismarck, North Dakota. Sir:

I call your attention to the attached tentative audit of the

North Dakota Mill and Elevator at Grand Forks, North Dakota. I regret that the immense amount of work involved, made it impossible for me to get this report to you at an earlier date.

The total deficit of this industry from its inception to December 31, 1938, is \$4,737,038.12 of which amount \$4,440,-019.08 has been contributed by the taxpayers of North Dakota.

You will note that the original operating capital of \$1,500,-000.00 is very nearly exhausted, when consideration is taken of Cash, Receivables and Inventories of Grain, Feed, and Feed Products, less Current Liabilities.

Showing a depletion of operating capital of.......\$ 1,278,434.02for a period of the past $45\frac{1}{2}$ months or an average depletion of operating capital per month of \$28,097.45. It is plain that this industry cannot long continue on this basis.

A comparison of manufacturing costs per barrel of flour has risen as per the following table:

YEAR	BBLS. MFG.	AMT OF MFG. COSTS	MFG. COSTS PER BBL.
1935	703,345	\$303,263.17	\$.431
1936	913,231	399,173.22	.437
1937	485,067	341,869.84	.704
1938	501,035	346,179.67	.691

The total loss per barrel on Flour sold has risen as per the following table:

YEAR	BBLS. SOLD	TOTAL LOSS PER BBL.
1935	711,602	\$.104
1936	894,575	.814
1937	490,932	.811
1938	505,908	.967

The payroll in the Milling Department only, for the past four years rose as per following figures:

MFG. PAYROLL			& DELIV., ADV. & GEN.		
YEAR	NUMBE BBLS. MFG.		NUMBE BBLS. SOLD	PER BBL.	TOTAL PAYROLL
1935	703,345	\$.181	711,602	\$.111	\$206,378.41
1936	913,231	.178	894,575	.107	258,912.19
1937	485,067	.321	490,932	.219	263,799.64
1938	501,035	.346	505,908	.183	265,821.67

On unfilled flour contracts, current on December 31, 1938, when delivered the Mill will lose \$28,562.21 as per the following analysis:

BOOKINGS	NO. BBLS. UNFILLED		FIT	AV. PR OR L PER	OSS
Eastern	51,714.	\$27,286.48	Loss	\$.5276	Loss
Western	11,886.375	413.91	Loss		Loss
City Warehous Outside	e 6,614.100	629.40	Loss	.0979	Loss
Warehouse N. Dak.	3,336.725	494.59	Loss	.1482	Loss
Distributors	7,950.075	262.17	Profit	.0330	Profit
Following is	81,501.275 a summary c	\$28,562.21 of the funds	Loss expende	\$.3505 ed for:	Loss
YEAR		RTISING		LEGA	L
1935	\$ 10.	387.24		\$ 2,935.	.22
1936	52,	735.19		4,626.	
1937	34.	580.65		6,941.	
1938		441.38		5,452.	
1938		000.00	-		**
**J. W. B	\$163, acon, contrac	144.46 et carried as	s specia	\$19,955. l expens PRO-	se.
		INVEST	I- CE	SSING	TAX
YEAR	AUDIT	GATIO	N I	REFUN	DS
1935	\$ 60.00	\$	\$		
1936	19,171.46				
1937	4,580.01	18,027.9	98	101,217.	08
1938	10,000.00	1,886.2	25	114,226.	61
	\$33,811.47	\$19,914.2	23 \$	215,443.	69

Of the audit expense \$20,787.50 was paid to the firm of Harvey and Castle, Grand Forks, North Dakota. The amount of Processing Tax Refunds \$215,443.69. The Mill was under no obligation to refund.

For advertising detail refer to, beginning on page 26 and legal expense beginning on page 46 of the tentative report.

We direct your attention to \$11,250.00 on page 25 of the report, expended for air conditioning equipment. It is apparent that a further expenditure will be necessary to supply the necessary water for this installation.

This audit shows the Mill indebted to the Bank of North Dakota \$556,269.03 and accrued interest \$5,124.69. This does not include the liability of \$605,238.13 on the Durum Wheat program shown on page 61 of the audit.

It is clear that the Mill will continue to lose money unless the overhead expense is reduced in line with production. A strict credit policy adopted; deliveries of unfilled flour sales contracts that have expired or are about to expire enforced; flour sales made above cost of production instead of below cost of production, and a general tightening up on advertising and commission contracts.

J. M. SHIREK, Auditor.

Senator Blaisdell moved that the letter from the Governor and the condensed report of the Board of Auditors be printed in the Journal, which motion prevailed.

Senator Blaisdell moved that the complete report be mimeographed in sufficient number to supply each Senator and Representative, which motion prevailed.

The President announced that the Senate would return to the 5th Order of Business for the reading of a report.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Public Health to whom was referred House Bill No. 267, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that House Bill No. 267 be rereferred to the Committee on Appropriations, which motion prevailed.

The President announced that House Bill No. 267 would be re-referred to the Committee on Appropriations.

Senator Hill moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-SIXTH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Rev. Father Hildebrant Eickhoff. Roll Call: All Senators present.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-third day after recess and Fifty-fourth day and recommend that the same be corected as follows:

On page 646, after line 34, insert a message to the House for the return of House Bill No. 171.

On page 656, line 20, change the word "Bill" to "Concurrent Resolution".

And when so corrected recommends that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Watt presented two petitions from 32 signers in Cass County requesting legislation to provide a more fair and equitable situation as to the hauling of farm products, which was referred to the Committee on Highways.

SECOND READING OF HOUSE BILLS

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in Gen-

eral Covering and Interpreting the Laws Pertaining to Indictments and Informations, 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	

Absent and not voting:

Aandahl

So the bill passed and the title was agreed to.

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Section 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a13, 8247a14, 8247a15, 8247a16, 8247a17, 8247a18, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a24, 8247a26, 8247a51, 8247a52, 8247a53, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65 and 8247a66 of the Supplement to the Compiled Laws of 1913; Repealing Sections 8247a47, 8247a56, 8247a57 of the Supplement to the Compiled Laws of 1913 and All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

Nelson, Grand Fks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the	e affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Торр
Drew	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog

Absent and not voting: Aandahl Nelson, Grand Fks. Young Flatt

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that House Bills No. 99, 186 and 309 be placed at the foot of the calendar, which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,

Bismarck, February 27, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

House Bill No. 23. 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.

House Bill No. 27. 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.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

House Bill No. 7. 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.

House Bill No. 21. 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.

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

House Bill No. 28. 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. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-Three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

House Bill No. 103. 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 Therefore.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Morgan moved that House Bill No. 15 be amended as follows:

Section 3, line 26, after the word "administration," insert the words "or its successor."

In line 12, strike out the word "mother" after the word "or" and insert the word "mothers," and

In line 27, strike out the words "in the Child Welfare Act" and insert the words "by law," which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 15 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 15. 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, 43; nays, 1; absent and not voting, 5.

Those voting	in the affirmative were:	
Aandahl	Guthrie	Olson, McHenry
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Thorson
Brant	Lemke	Торр
Bridston	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		

Those voting in the negative were: Owings

Absent and not voting were:

Thatcher

Stucke So the bill passed and the title was agreed to.

Guenther

Senator Morgan moved that House Bill No. 16 be amended as follows:

Sec. 1, line 6, after the word "executive" strike out the word "secretary" and insert the word "director."

Sec. 3, line 23, after the word "administration" insert the words "or its successor,"

And.

Braun

Flatt

In line 24, strike out the words "in the Child Welfare Act," and insert the words "by law," which motion prevailed.

Senator Morgan moved that the rules be suspended and

that House Bill No. 16 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 16. 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, 45; nays, 1; absent and not voting, 3.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thorson
Dahl	Lemke	Topp
Drew	Leum	Trout
Flatt	Lian	Troxel
Fowler	Magoffin	Tweten
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young

• Those voting in the negative were: Owings

Absent and not voting were: Beaton Braun

Thatcher

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which House Bill No. 15 was passed be reconsidered, which motion prevailed.

Senator Morgan moved an amendment to House Bill No. 15 as follows:

In line 6, strike out the word "secretary" and insert the word "director," which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 15 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 15. 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, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Aasen Guenther Olson, McHenry

Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Raschko
Blaisdell	Holl	Skarvold
Brant	Isaak	Streibel
Bridston	Kamrath	Stucke
Braun	Lavik	Thorson
Dahl	Lemke	Topp
Drew	Leum	Trout
Flatt	Lian	Troxel
Fowler	Magoffin	Tweten
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young

Those voting in the negative were: Owings

Abaant and not out to

Absent and not voting: Aandahl Beaton

Thatcher

...

So the bill passed and the title was agreed to.

Senator Morgan moved that House Bill No. 17 be amended as follows:

In line 6, after the word "its," insert the word "executive." In line 26, after the word "Administration," insert the words "or its successor."

In line 26, after the word "for" strike out the rest of the sentence and insert in lieu thereof the words, "by law," And,

In line 12, after the word "or," strike out the word "mother" and insert the word "mothers," which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 17 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 17. 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, 43; nays, 2; absent and not voting, 4.

Those voting in	the affirmative were:	
Aasen	Guthrie	Olson, McHenry
Bilden	Hill	Olson, Mountrail
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Brant	Kamrath	Streibel
Braun	Lavik	Stucke
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan

Greiser	Nelson,	Grand Fks.	Wog
Gronvold Guenther	Nelson,	McKenzie	Young

Those voting in the negative were: Owings Tweten

Absent and not voting: Aandahl Bridston Thatcher Beaton

So the bill passed and the title was agreed to.

Senator Morgan moved that House Bill No. 18 be amended as follows:

In line 22, after the word "administration," add the words "or its successors."

In line 22, after the word "for," insert the words "by law" and strike out the remainder of the sentence.

In line 6, after the word "its," insert the word "executive," which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 18 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Mehods 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, 41; nays, 2; absent and not voting, 6.

Those voting in	n the affirmative were:	
Aasen	Holl	Raschko
Bilden	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Bridston	Lavik	Stucke
Braun	Lemke	Thatcher
Drew	Leum	Thorson
Flatt	Lian	Topp
Fowler	Magoffin	Trout
Fredrickson	Morgan	Troxel
Greiser	Morrison	Watt
Gronvold	Nelson, Grand Fks.	Whelan
Guenther	Nelson, McKenzie	Wog
Guthrie	Olson, McHenry	Young
Hill	Olson, Mountrail	
Those voting i	n the negative were.	

Those voting in the negative were: Owings Tweten

Absent and not voting:

Aandahl	Blank	Dahl
Beaton	Brant	Gilbertson
So the bill passed	and the title	was agreed to.

Senator Drew moved that House Bill No. 19 be amended as follows:

In line 6, after the word "its," insert the word "executive." In line 23, after the word "Administration," add the words "or its successor."

In line 24 after the word "provided," strike out the balance of the line and insert the words "for by law," which motion prevailed.

Senator Drew moved that the rules be suspended and that House Bill No. 19 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 19. 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, 42; nays, 2; absent and not voting, 5.

Those voting	in the affirmative were:	
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Dahl	Lavik	Stucke
Drew	Lemke	Thatcher
Flatt	Leum	Thorson
Fowler	Lian	Topp
Fredrickson	Magoffin	Trout
Gilbertson	Morgan	Troxel
Greiser	Morrison	Watt
Gronvold	Nelson, Grand Fks.	Whelan
Guenther	Nelson, McKenzie	Wog
Guthrie	Olson, McHenry	Young

Those voting in the negative were: Owings Tweten

Absent and not voting:

Aandahl Brant Braun Blank Bridston

So the bill passed and the title was agreed to.

Senator Morgan moved that House Bill No. 20 be amended as follows:

In line 6, after the word "its," insert the word "executive." In line 28, after the word "administration," insert the words "or its successors."

In line 28, after the word "provided," insert the words "by law" and strike out the remainder of the line, which motion prevailed.

Senator Watt moved that the rules be suspended and that House Bill No. 20 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 20. 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, 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, 44; nays, 2; absent and not voting, 3.

	the affirmative were:	
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	EDROV ST 1

Those voting in the negative were: Tweten Owings

Absent and not voting were: Bridston Aandahl Blank

So the bill passed and the title was agreed to.

The President called Senator Watt to the chair.

SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting:

Bridston Trout

So the bill passed and the title was agreed to.

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 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, 46; nays, 0; absent and not voting, 3.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Торр
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

Absent and not voting:

Flatt Nelson, Grand Fks. Trout

So the bill passed and the title was agreed to.

House Bill No. 31. 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, 43; nays, 1; absent and not voting, 5.

Guthrie	Olara Manataail
	Olson, Mountrail
Hill	Owings
Holl	Raschko
Isaak	Skarvold
Kamrath	Streibel
Lavik	Stucke
Lemke	Thatcher
Leum	Topp
Lian	Troxel
Magoffin	Tweten
Morgan	Watt
Morrison	Whelan
	Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan

Greiser Gronvold Guenther Nelson, McKenzie Wog Olson, McHenry Young

Those voting in the negative were: Aasen

Absent and not voting: Flatt Nelson, Grand Fks. Trout Fredrickson Thorson

So the bill passed and the title was agreed to.

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 Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aasen	Guthrie	Olson, Mountrail
Béaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Absent and not	voting were:	
Aandahl	Gilbertson	Trout

Fredrickson

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate re-convened at the expiration of the ten minute recess, with the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

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amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

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	Those voting in the	affirmative were:	
	Aandahl	Gronvold	Olson, Mountrail
	Aasen	Guenther	Owings
	Beaton	Guthrie	Raschko
	Bilden	Holl	Skarvold
	Blank	Isaak	Streibel
	Brant	Lavik	Thatcher
	Bridston	Lemke	Thorson
	Braun	Leum	Topp
	Dahl	Lian	Trout
ő.	Drew	Magoffin	Troxel
	Flatt	Morgan	Tweten
	Fowler	Morrison	Watt
	Fredrickson	Nelson, Grand Fks.	Wog
	Gilbertson	Nelson, McKenzie	Young
	Greiser	Olson, McHenry	
	Absent and not voti	ng:	
	Blaisdell	Kamrath	Whelan
	Hill	Stucke	

So the bill passed and the title was agreed to.

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against 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, 45; nays, 1; absent and not voting, 3.

Those voting in t	the affirmative were:	
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Those voting in the negative were: Thatcher

Absent and not voting:

Fredrickson Hill

Kamrath

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax

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Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associa-tions, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting 1.

Those voting in	the affirmative were:	
Aandahl	Greiser	Nelson, McKenzie
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Guthrie	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young

Those voting in the negative were: Owings Streibel

Tweten

Absent and not voting: Hill

T.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morrison moved that the vote by which House Bill No. 99 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 27, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 55. A Bill for an Act to Amend Chapter 269 of the Session Laws of the State of North Dakota for the Year 1935.

House Bill No. 144. A Bill for an Act Providing for the Conduct of Elections on all Municipal Bond Issues; Providing a Separate Ballot Box for the Ballots of Voters Owning Real Property and a Separate Ballot Box for the Ballots of Other Voters; and Requiring a Two-thirds Vote of Both Such Real Property Owners and Such Other Voters, for all Municipal Bond Issues; Repealing all Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return: House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide That the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

House Bill No. 147. A Bill for an Act Ceding to the United States Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency. House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

Which the Senate has amended as follows:

In line 2, after the word "monies," insert the following: "paid by counties for care of patients at the State Hospital, which is now."

In line 3, strike out the figures "\$115,500.00" and insert in lieu thereof the figures "\$110,000.00."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

Which the Senate has amended as follows:

In line 4, after the word "County" insert the following: "and any other County."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May Be Commenced; Specifying the Procedure by Which Custody of Children Involved in Such Proceedings May Be Changed; and Declaring That an Emergency Exists.

Which the Senate has amended as follows:

In the title after the word "Administration" in lines 6 and 8 add the words "or its successor".

Also,

In line 5, Section 1, after the word "Administration" add "or its successor".

In line 14, Section 1, after the word "Administration" add "or its successor".

WM. J. LOWE, Secretary.

MESSAGE FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 27, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

SENATE BILL NO. 11. An Act Prohibiting any person who was a candidate for nomination for office at a primary election and who was defeated for said office, from being a candidate for the same office at the ensuing general election.

JOHN MOSES, Governor.

SECOND READING OF HOUSE BILLS

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel

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MONDAY, FEBRUARY 27, 1939

Blaisdell Brant Bridston Braun Dahl Flatt Greiser Gronvold Guenther Hill Lavik Lemke Lian Magoffin Morgan Morrison Nelson, McKenzie Olson, McKenzy Olson, Mountrail Owings

Topp Trout Troxel Tweten Wog Young

Leum

Watt Whelan

Stucke

Thatcher

Thorson

Those voting in the negative were:AandahlFredricksonAasenGilbertsonDrewGuthrieFowlerFowler

Absent and not voting: Nelson, Grand Fks.

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Thorson moved that the vote by which House Bill No. 186 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lian moved that House Bill No. 309 be amended as follows:

Page 2, line 7, strike out the word "members" and insert the words "nominees and hold-over members," which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that House Bill No. 309 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; 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, 47; nays, 1; absent and not voting, 1.

Those voting in	the affirmative wer	e:
Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher

Brant	Lavik	Thorson
Bridston	Lemke	Topp
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	

Those voting in the negative were: Streibel

Absent and not voting:

Holl

Gronvold

So the bill passed and the title was agreed to.

Senator Guthrie moved that House Bill No. 351 be amended as follows:

In line 53, page 841 of the Journal, strike out the words "Five Hundred Dollars," and insert in lieu thereof the words "Two Thousand Dollars."

Senator Fowler made a substitute motion that House Bill No. 351 be laid over for one legislative day, which motion prevailed.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Aandahl Guenther Olson, McHenry Olson, Mountrail Aasen Guthrie Hill Beaton Owings Holl Bilden Raschko Blank Isaak Skarvold Kamrath Streibel Blaisdell Brant Lavik Thatcher Bridston Lemke Thorson Leum Topp Braun Lian Trout Dahl Magoffin Troxel Drew Flatt Morgan Tweten Fredrickson Morrison Whelan Nelson, Grand Fks. Gilbertson Wog Nelson, McKenzie Greiser Young

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Absent and not voting: Fowler Stucke

Watt

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-Three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 103. 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 Therefore.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 23. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 27. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 7. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 21. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 28. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of Schol and Other Public Lands of the State, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Blaisdell moved that the Senate do now recess until 1:00 P. M., February 28th, which motion prevailed.

And the Senate stood recessed pursuant to Senator Blaisdell's motion.

WM. J. LOWE, Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND FIFTY-SEVENTH DAY

Bismarck, February 28th, 1939. The Senate re-convened at 1:00 P. M. pursuant to recess taken, February 27th, with the President presiding.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 25; Senate Bill No. 34; Senate Bill No. 98; Senate Bill No. 99; Senate Bill No. 100; Senate Bill No. 101; Senate Bill No. 134; Senate Bill No. 153 and Senate Concurrent Resolution No. 148.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same do pass. E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred House Bill No. 176, have had the same under consideration and recommend that the same do pass. E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, N. D., February 28, 1939.

Mr. President: I have the honor to inform you that the House has requested the return of:

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency. MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the

9th Order of Business for consideration of a message from the House.

Senator Morgan moved that the Senate accede to the request of the House for the return of Senate Bill No. 163, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 28, 1939.

Mr. Speaker: I have the honor to return:

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Which the House has requested.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, February 28, 1939.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May Be Commenced; Specifying the Procedure by Which Custody of Children Involved in Such Proceedings May Be Changed; and Declaring That an Emergency Exists.

And

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Which the House has amended as follows:

On page 2, section 1, line 30 after the word "county," insert the following: "Which petition shall have the signatures of 30% of the legal voters of such remaining portion as determined by the votes cast for governors therein at the last preceding general election."

Re-number lines accordingly.

Section 1, line 4, of the original bill strike out the figures "20%" and insert in lieu thereof the figures "30%." Page 1015, House Journal.

MINNIE D. CRAIG, Chief Clerk.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended as follows:

On page 2, section 1, line 2, after the word "State," insert the following: "having a population of less than four thousand (4,000) according to the last preceding official state or federal census or thereafter."

In the Senate amendment inserted after the word "Act" in line 89, section 8, in the first line of the amendment after the word "that," strike out the word "the" and insert in lieu thereof the word "each," and strike off the letter "s" on the word "officers."

In section 11, line 154, after the word "any," insert the word "county."

In section 12, line 171, strike out the words "it deems" and insert in lieu thereof the words "shall be."

Page 1102, House Journal.

MINNIE D. CRAIG, Chief Clerk.

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Which the House has amended as follows:

Section 1, line 27, strike out the words "two thousand nine hundred" and insert in lieu thereof the words "two thousand four hundred."

Section 1, line 28, strike out the words and figures "fiftyfour dollars and eighty-four cents (\$2,954.84)" and insert in lieu thereof the words and figures "fifty-nine dollars and eighty-four cents (\$2,459.84)."

And the further amendments:

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In line 2 of the title after the word "Salaries" insert the words "and Expense."

In line 8, after the word "services" insert the words "and paid expenses."

In line 12, after the word "services" insert the words "and paid expenses." And in the same line, after the word "rendered" insert the words "and paid expenses paid by them."

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In line 19, after the word "salaries" insert the words "and expenses."

In line 21, after the word "salaries" insert the words "and expenses."

In line 29, after the word "salaries" insert the words "and expenses."

In line 31, after the word "services" insert the words "and paid expenses."

In line 35, after the word "salaries" insert the words "and expenses."

Pages 1056, 1057, House Journal.

MINNIE D. CRAIG, Chief Clerk.

Senate Bill No. 95. A Bill for an Act to Amend and Reenact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed.

Senate Bill No. 65. A Bill for an Act Levying and Imposing a Tax to Carry Out the Provisions of That Certain Initiated Measure Adopted at the General Election Novem-ber 8, 1938, Entitled "An Act Amending and Re-enacting Section 3 of Chapter 211 of the Session Laws of North Dakota for 1937, and Providing That the Amount of Assistance Which Any Person Shall Receive Shall be Sufficient When Added to All Other Income of Recipient to Provide Such Person With a Reasonable Subsistence Compatible With Decency and Health But Shall Not be Less Than a Minimum of Forty Dollars (\$40.00) Per Month Except That it Shall Not be Less than a Minimum of Thirty Dollars (\$30.00) Per Month for Each Recipient Where There Is More Than One Recipient in a Family and Each County Shall Reimburse the State Agency for Fifteen Per Cent of the Amount Expended for Such Assistance in Such County in Excess of the Amount Provided by the Federal Government and Repealing All Acts and Parts of Acts in Conflict Herewith"; Providing That All Funds Derived From Such Tax Shall be Paid Into the State Treasury and Shall be Deposited in the State Public Welfare Fund in Said Treasury and Disbursed by the Public Welfare Board of North Dakota as Provided by Law; and Providing for the Submission of This Act to a Vote of the Electors of the State of North Dakota for Their Approval or Rejection and Providing That If This Act Is Rejected at Such Election it Shall be of No Force or Effect, Making an Appropriation, and Declaring an Emergency.

Senate Bill No. 164. A Bill for an Act Relating to the Enactment of Ordinances in Cities Having the Commission Form of Government and Validating Ordinances Heretofore Enacted in Such Cities.

Senate Bill No. 73. A Bill for an Act to Amend and Reenact Section 29 of Chapter 179 of the Session Laws of 1927 as Amended by Chapter 165 of the Session Laws of 1929 and Chapter 186 of the Session Laws of 1931, Relating to When Fees on Motor Vehicles Become Delinquent, Providing Penalties, Providing for the Collection Thereof, and Declaring an Emergency.

Senate Bill No. 180. A Bill for an Act to Repeal Sections 1326a1, 1326a2, 1326a3, 1326a4 and 1326a5 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to a Petition by Electors to Increase Debt Limit of School Districts.

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, Relating to Park District Tax Levies.

Senate Bill No. 183. 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 Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 252. A Bill for an Act to Repeal Section 8 of Chapter 125 of the 1933 Session Laws Relating to Duties of State Highway Commissioner and to Dispense With the Necessity of Filing Monthly With the State Auditing Board an Itemized Statement of Materials Sold or Purchased.

Senate Bill No. 208. A Bill for an Act to Encourage the Investment of Monies in the State of North Dakota, and to Encourage the Development of Industries and Resources in the State of North Dakota, Providing for Exempting, for a Period of Five Years, All of the Property of New Business Places, Hereafter Entered Into in the State of North Dakota, Whether the Same Be by Corporations, Firms, or Individuals, Providing That the Same Shall Only Apply Where Twentyfive Thousand Dollars or More of Capital Is Invested in Such Industry or Business Place, Within the State of North Dakota; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 151. A Bill for an Act to Amend and Reenact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913, as Last Amended by Section 3 of Chapter 137 of the Session Laws of the State of North Dakota for the Year 1933, Relating to State Hail Insurance, Providing for the Levy of a Hail Indemnity Tax, Fixing the Priority of the Lien Therefor; Declaring That Any and All Existing Hail Indemnity Taxes, Which Have Not Heretofore Been Sold to Private Parties, Shall be Liens Subsequent and Inferior to Mortgages, Liens and Judgments Executed Prior to the Levy of Such Hail Indemnity Taxes; and Declaring an Emergency.

Senate Bill No. 251. A Bill for an Act to Facilitate the Co-operation of This State With Other Units of Government and to Establish an Unpaid Commission for That Purpose, and Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk. Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 385 and the Speaker has appointed as a Conference Committee,

Rep. Anderson of Benson,

Anderson of McKenzie,

Williams of Stutsman.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that House Bill No. 172 be amended as follows:

Strike out all amendments put on by the State Affairs Committee, on page 388 of the Senate Journal, which motion prevailed.

Senator Watt moved a further amendment to House Bill No. 172 as follows:

Section 6, line 3, after the word "appropriated" strike out the balance of the line and line 4 up to the word "the", which motion prevailed.

Senator Watt moved that the rules be suspended and that House Bill No. 172 be placed on Second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation 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, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Those voung in the	allinative were.	
Aandahl	Greiser	Nelson, McKenzie
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Guthrie	Owings
Blank	Holl	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Braun	Lemke	Stucke
Dahl	Leum	Topp
Drew	Lian	Watt
Flatt	Magoffin	Whelan
Fowler	Morgan	Wog
Fredrickson	Morrison	Young
Gilbertson	Nelson, Grand Fks.	
Those voting in the	negative were:	
Hill	Thorson	Tweten
Isaak	Troxel	

Absent and not voting:

Bridston Thatcher

Trout

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 277, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 277 be placed on Second Reading and Final Passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; 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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Those voting in the negative were: Dahl Watt

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Wog moved that the Senate do concur in the amendments to Senate Bill No. 240, which motion prevailed.

Senator Wog moved that the rules be suspended and Senate Bill No. 240 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to ar Organized County for Judicial and Administrative Purposes;

and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal 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, 49; nays, 0; absent and not voting, 0. ating in the

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	· · · · · · · · · · · · · · · · · · ·	-

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Wog moved that the Senate do concur in the amendments to Senate Bill No. 50, which motion prevailed.

Senator Wog moved that the rules be suspended and Senate Bill No. 50 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those v	voting	in	the affirmative	were:	
Aasen			Guenther		Olson, M
Beaton			Guthrie		Owings

	Mountrail
Owing	8

Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp
Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Watt
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog

Absent and not voting were:

Aandahl Nelson, Grand Fks. Young Braun

So the bill passed and the title was agreed to.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House, on House Bill No. 385, which motion prevailed.

The President announced that the Senate would be on the 4th Order of Business.

MESSAGE FROM THE GOVERNOR State of North Dakota OFFICE OF THE GOVERNOR

Bismarck, February 27, 1939.

Honorable Jack A. Patterson

President of the Senate Bismarck, North Dakota.

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Dear Mr. President:

I respectfully submit herewith a Message to the Members of the Legislature, and ask that the same be given consideration.

I may state that an identical Message has this day been submitted to the House of Representatives.

JOHN MOSES, Governor.

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 27, 1939.

To the Members of the Twenty-sixth Legislative Assembly State of North Dakota Ladies and Gentlemen:

It is increasingly apparent that there has not been available to the members of the Legislature sufficient information dealing with some of the greatest problems which face us as a people and as a State. Underlying all of the labor of this Legislative Assembly, now fast drawing to a close, have been the serious problems of relief, and with that, the question of pensions. Coupled with this is the plight of our municipal sub-divisions, in particular counties and school districts. The education of our children is a matter of grave concern; particularly is the fate and future of our common

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schools in danger. More than half of our counties are, to all intents and purposes, now insolvent; unless conditions are improved, many more are approaching insolvency. It is apparent to everyone that it is not possible for the members of the Legislature to make a proper evaluation of the relief and pension problems nor the municipal debt situation within the sixty-day period available to them in the regular session, nor is it possible for the members to make the necessary changes and improvements in the present relief system unless there is available to the Legislature reliable, complete and authentic information concerning all angles of the matter.

It is my belief that this Legislature should make provision for an immediate practical survey of these problems, a survey which will not only take into consideration the present debt condition of the counties and school districts that are in financial difficulty, but also review all angles of the relief and pension problem. It is my thought that this survey should be an actual field survey, a "grass roots" survey, so to speak, that will go into the fundamentals as well as the details of these problems.

In respect to the relief and pension problems, I think such a survey and investigation should undertake to touch the following aspects of these problems:

1. An inquiry into the operations of the present relief set-up in the counties and in the State, with a view of ascertaining whether there is any waste or unnecessary expenditure of relief funds in the administration of such funds, and if waste and unnecessary expenditures appear, to consider ways and means of establishing more economical and efficient procedure for the administration of relief.

2. An inquiry into the actual relief necessities of the persons now receiving relief and applicants therefor, to determine particularly whether relief is being paid to persons who do not actually need public assistance, whether too much or too little relief is being extended to persons in any particular community or communities in the State, and to determine whether there are any persons, particularly women and children, who are in need of relief, but who for any reason are not receiving the assistance to which they are entitled; and to determine as nearly as possible what, in the aggregate, are the fair and reasonable relief requirements which the State will be obliged to carry in the next year or two.

3. An inquiry into the old age relief situation, particularly with a view of ascertaining, as nearly as possible, how much money will be required to meet the demands of persons qualifying for pensions under the State Pension Law as amended by the recent initiated measure, which law, as construed by the Supreme Court, requires the State to fix such old age pension allowances on the basis-of-need formula; that is to say, a formula under which the income of the applicant is taken into consideration in determining the specific amount which shall be provided by the State in order to afford such applicant a standard of subsistence equal to \$40 per month.

4. An inquiry into the question of the distribution of the relief and pension burdens as between the several counties and the State, particularly with a view of determining, as nearly as possible, what proportion of such financial burden

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can be carried by the drouth-stricken counties in Western North Dakota; and to recommend a formula for the distribution of such financial burdens.

In respect to the municipal debt problem, I feel that such a survey should undertake to develop the following facts:

1. What particular school districts are now insolvent, and the degree and extent of such insolvency.

2. What particular school districts are operating on a basis wherein the expenditures exceed the tax revenues, and the degree of such discrepancies.

3. What particular counties are now insolvent, and the extent and degree of such insolvency, including a particular statement of the bonded and funded indebtedness of such counties.

4. What particular counties are operating on a basis wherein the expenditures exceed the tax revenues, and the extent of such discrepancies.

5. An inquiry into the extent of the State assistance required in order to maintain reasonable school facilities in the insolvent school districts, and a study of the methods according to which State assistance is now being afforded such school districts, together with recommendations for an improvement in such procedure in cases where the present system of distributing state aid does not appear to work out fairly and equitably.

6. An inquiry into the administrative methods heretofore followed in the conduct of the business functions of insolvent political subdivisions, with a particular view of discovering wherein the waste and needless expense has occurred, and considering ways and means whereby the essential functions of such political subdivisions would be conducted in a more economical manner.

In order to accomplish these objectives, I respectfully recommend the establishment by this Legislative Assembly of a State Relief and Debt Survey Commission, to consist of not more than seven members, to be appointed by the Governor, if that meets with your approval, two of which should be members of the House of Representatives and two of which should be members of the Senate. When this commission is selected, I think that it should begin its work as soon as possible, with a view of finishing its task not later than December 31, 1939.

It would be necessary for the Legislative Assembly to make an appropriation sufficient to cover necessary expenses for the work of such commission and reasonable compensation to the members for their services. While I am reluctant to incur additional expense at this particular time, yet I feel that a careful and thorough-going study of the facts relating to these problems is so important that I believe we are entirely justified in incurring some expense in order to achieve the results desired.

In bringing this matter to your attention, I am mindful of the almost unsurmountable difficulties which have confronted the members of this Legislative Assembly in dealing with these particular problems of an emergency character. Candidly, I do not believe that it has been possible for the

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Legislature, in the short time at its disposal, to solve wisely some of these problems. But the fact that these problems are difficult, and some of them apparently unsurmountable at the moment, should not deter us from making every effort possible to reach a solution. Believing as I do that more reliable information of a factual character is necessary for the practical treatment of these problems, I feel warranted in urging your special and favorable consideration to the recommendations contained in this Message.

JOHN MOSES, Governor.

Senator Blaisdell moved that the letter and mimeographed communication from the Governor be printed in the Journal, which motion prevailed.

Senator Blaisdell moved that the President appoint a committee of three to go into the report of the audit of the State Mill and Elevator, as submitted by the State Board of Auditors, according to the request of the Governor, which motion prevailed.

The President appointed as such committee, Senators Blaisdell, Owings and Trout.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 106, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 263, have had the same under consideration and recommend that the same be amended as follows:

In line 56, strike out the figure "75.00" and insert in lieu thereof "50.00."

And when so amended recommend the same do pass. M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 306, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred:

House Bill No. 181, have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Blaisdell moved that the vote by which the report of the Committee on Counties on House Bill No. 181 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Federal Relations to whom was referred House Concurrent Resolution No. 179, have had the same under consideration and recommend that the same do pass.

ED. LIAN, Chairman.

Senator Lian moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Bill No. 327, have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 400, have had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the word "President" and insert in lieu thereof the word "Premier".

In line 24 strike out the word "President" and insert in lieu thereof the word "Premier".

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

The President called Senator Blaisdell to the Chair.

Senator Guthrie moved that the vote by which the report of the Committee on Judiciary on House Concurrent Resolution No. 400 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 375, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 259, have had the same under consideration and recommend that the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same be rereferred to the Appropriations Committee with the following amendments:

In order to comply with Chapter 145 of the 1935 Session

Laws that there be inserted the word "Construction" in the amount of \$10,000. In line 18 change the amount to "15,000" and in line 22 change the amount to "13,200.00".

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed, and the report was adopted.

The Presiding officer announced that House Bill No. 43 would be re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Concurrent Resolution No. 368, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Bill No. 353, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Bill No. 321, have had the same under consideration and recommend that the same be indefinitely postponed.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Bill No. 362, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 364, have had the same under consideration and recommend that the same be indefinitely postponed. BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Bill No. 250, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred:

House Bill No. 128, have had the same under consideration and recommend that the same be indefinitely postponed.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same be re-referred to the Appropriations Committee with recommendation for passage.

BEN GILBERTSON, Chairman.

Senator Gilbertson moved that the report be adopted, which motion prevailed and the report was adopted.

The presiding officer announced that House Bill No. 149 would be re-referred to the Committee on Appropriations.

Mr. President: A majority of your Committee on Appropriations to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN M. J. RASCHKO WM. WATT M. R. YOUNG HENRY LEUM FRED G. AANDAHL H. C. GUENTHER F. T. GRONVOLD N. N. NELSON OTTO TOPP J. C. BLAISDELL E. H. BRANT

Mr. President: A minority of your Committee on Appropriations to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE HERMAN THORSON R. M. STREIBEL WM. A. THATCHER

Senator Watt moved that the Report of the majority of the Committee on Appropriations on House Bill No. 139 be adopted.

Senator Stucke made a substitute motion that the word "minority" be substituted for the word "majority".

Senator Morrison demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Stucke that the word "minority" be substituted for the word "majority" on the report of the Committee on Appropriations on House Bill No. 139, the roll was called and there were ayes, 19; nays, 30; absent and not voting, 0.

Those voting in	the affirmative were:	
Beaton	Morrison	Streibel
Bilden	Nelson, McKenzie	Stucke
Blank	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Thorson

Owings	Troxel
Skarvold	Tweten
the negative were:	
Fredrickson	Lian
Gilbertson	Magoffin
Gronvold	Nelson, Grand Fks.
Guenther	Raschko
Guthrie	Topp
Hill	Trout
Holl	Watt
	Skarvold the negative were: Fredrickson Gilbertson Gronvold Guenther Guthrie Hill

Lavik

Leum

Lemke

So the motion lost.

Drew

Flatt

Fowler

The question now being on the motion of Senator Watt that the report of the majority of the Committee on Appropriations be adopted, the motion prevailed.

Whelan

Wog

Young

Senator Watt moved that the vote by which the report of the majority of the Committee on Appropriations on House Bill No. 139 be indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The presiding officer requested the Sergeant-at-Arms to escort the Lieutenant Governor to the rostrum.

Senator Blaisdell:

"Mr. President: It has long been the custom of this body to present to its presiding officer something to show its appreciation of his fairness and impartiality in presiding over our deliberations. My fellow senators have delegated to me the pleasant duty of carrying out this custom today. Because of my long personal acquaintance with you, my President, and the fact that you come from my home city of Minot, this is a doubly pleasant task. I know I voice the feeling of all Senators when I say that we appreciate the fair and impartial manner in which you have performed your duties. When we are considering bills and discussing them on the floor of the Senate we, naturally, of course, have different viewpoints and do not hesitate to express them and it is your province to restrain us and keep us within proper bounds, and this you have done in a very fine manner.

"On behalf of all of the Senators and employes, I want to present this gift to you as our appreciation of your fine work, and also as something you will keep to remind you of this Legislative Session."

Mr. Patterson: "Thank you, Senator Blaisdell. It goes without saying that I am deeply appreciative and grateful and you gentlemen who were so nice about this must have known that you let yourselves into hearing a few words from me. I will try to retain the fine feeling by not making my remarks too long. I assure you that the sentiment expressed by Senator Blaisdell on behalf of the rest of the body is reflected one hundred per cent from the President of the Senate. I have endeavored to be fair in all rulings and it is, I am sure, a mutual satisfaction that not once has an appeal

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been made from any ruling, which proves fairness on all sides.

"Since I have come here, the thing that is outstanding in my mind is that if the people of the state would work together for the betterment of the state, as the Senate has, I believe we could overcome a great many of the problems that beset the state.

"It is no secret that when we came here to organize the Senate, we probably figured that there would be a difference of opinion, heated words and some purely personal matters would enter into some of the discussion-this condition has not prevailed. I am saying this with all sincerity that is in my heart I do believe every man here has done his very best for the welfare of the state. Now that might be qualified by what someone else might feel would be for the best of the state, but what I am saying is that each in his own heart has done what he feels best for the state and we cannot all have the same opinions, in our form of democracy. That is what makes us a democracy-having the privilege of having our own views. And while the Senate may not have a great deal to do about it, if we continue as we have, we will have had our part in retaining this democracy which makes this the best governed nation that anyone ever lived in and I hope we will do that. I wish to say again as I said over the radio, that we are doing the best we can and when you gentlemen return to your own districts and tell the people that you have done the best you could, I feel that you will be speaking the truth because you have labored hard and done the best you could with what you might call the material at hand, for the best interests of the people.

"I don't want to tire you and have your good feelings imposed upon so I shall just say again that I thank you so very, very much—all of the Senators and the employes who have done so much in this session. It is a beautiful present and I want to say again that I appreciate it very much and I say with all sincerity that if any of you happen to come through Minot an invitation is extended to you to come in and have coffee out of this fine coffee set.

"I thank you."

MESSAGES TO THE HOUSE

Senate Chamber, Bismarck, February 28, 1939

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators: Watt, Guthrie, and Thorson, relative to Senate Amendments on House Bill No. 385.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to: Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do now adjourn, and re-convene in thirty minutes, which motion prevailed and the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-SEVENTH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Rev. Mr. G. Adolph Johns. Roll Call: All Senators present.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, February 28, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

House Bill No. 216. A Bill for an Act to Amend and Re-enact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

House Bill No. 31. 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.

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Sup-plement to the 1913 Compiled Laws of North Dakota.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

House Bill No. 95. A Bill for an Act to Make Farming Unlawful in the State of North Dakota by Anyone Other Than an Actual Bona Fide Farmer; Defining a "Bona Fide Farmer"; Providing a Penalty and Declaring an Emergency. House Bill No. 121. A Bill for an Act to Amend and Re-

enact Article 41, Chapter 38, 1913 Compiled Laws, to Regu-late the Licensing, Registration, Sale, Inspection, Sampling and Analysis of Commercial Fertilizers, Superphosphates and Fertilizer Materials in the State of North Dakota, and to Repeal All Laws and Parts of Laws in Conflict Therewith.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

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House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associa-tions, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

House Bill No. 46. A Bill for an Act Making an Appro-priation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

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 Workmen's Compensation Bureau.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

House Bill No. 311. A Bill for an Act Relating to the Or-

ganization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11. 8247a12, 8247a13, 8247a14, 8247a15, 8247a16. 8247a17, 8247a20, 8247a21a, 8247a23, 8247a18, 8247a19, 8247a24, 8247a26, 8247a47, 8247a51, 8247a52, 8247a53, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which the Senate has amended.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

House Bill No. 27. 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.

House Bill No. 23. 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.

House Bill No. 39. A Bill for an Act Making an Appro-

priation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

Which the President has signed.

WM. J. LOWE, Secretary.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

House Bill No. 103. 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 Therefore.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

House Bill No. 28. 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. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

House Bill No. 21. 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.

House Bill No. 7. A Bill for an Act Making an Appro-

priation 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.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 16. 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.

Which the Senate has amended as follows:

Sec. 1, line 6, after the word "executive" strike out the word "secretary" and insert the word "director". Sec. 3, line 23, after the word "administration" insert the

words "or its successor,"

And,

In line 24, strike out the words "in the Child Welfare Act," and insert the words "by law".

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 15. 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.

Which the House has amended as follows:

Section 3, line 26, after the word "administration," insert the words "or its successor."

In line 12, strike out the word "mother" after the word "or" and insert the word "mothers," and

In line 27, strike out the words "in the Child Welfare Act" and insert the words "by law."

In line 6, strike out the word "secretary" and insert the word "director."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 17. 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.

Which the Senate has amended as follows:

In line 6, after the word "its," insert the word "executive." In line 26, after the word "Administration," insert the words "or its successor."

In line 26, after the word "for" strike out the rest of the sentence and insert in lieu thereof the words, "by law,"

And,

In line 12, after the word "or," strike out the word "mother" and insert the word "mothers."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return: House Bill No. 18. A Bill for an Act Making an Appro-priation for St. John's Orphange of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

Which the Senate has amended as follows:

In line 22, after the word "administration," add the words "or its successors."

In line 22, after the word "for," insert the words "by law" and strike out the remainder of the sentence.

In line 6, after the word "its," insert the word "executive."

WM. J. LOWE, Secretary. Mr. Speaker: I have the honor to return:

House Bill No. 19. 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.

Which the Senate has amended as follows:

In line 6, after the word "its," insert the word "executive." In line 23, after the word "Administration," add the words "or its successor."

In line 24 after the word "provided," strike out the balance of the line and insert the words "for by law."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Which the Senate has amended as follows:

In line 6, after the word "its," insert the word "executive."

In line 28, after the word "administration," insert the words "or its successors."

In line 28, after the word "provided," insert the words "by law" and strike out the remainder of the line.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended as follows:

Page 2, line 7, strike out the word "members" and insert the words "nominees and hold-over members."

WM. J. LOWE, Secretary.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Fourth Day after recess and Fifty-sixth day and found the same correct.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The President announced receipt of a telegram from the business men of Northwood, N. D., opposing the Gross Income Tax, which was referred to the Committee on Taxes and Tax Laws.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 290, have had the same under consideration and recommend that the same be amended as follows:

In line 18, strike out the word "members" and insert in lieu thereof the word "member's."

Strike out the last two words in line 23, "the rate" and the first word in line 24 "of" and insert in lieu thereof "an amount equal to."

And when so amended recommend the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Concurrent Resolution No. 399, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 158, have had the same under consideration and recommend that the same be amended as follows:

In line 15 strike out the figure "1939" and insert in lieu thereof the figure "1941."

And when so amended, recommend the same do pass.

WM. WATT, Chairman. Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 24, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

In the title after the word "of" and before the word "indemnifying" insert the words "testing and."

In line 4 after the word "of" and before the word "indemnifying" insert the words "testing and."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 8, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures "\$13,990.00" and insert in lieu thereof the figures "\$15,590.00."

Following line 11, insert a new line to read "Museum Assistant" and insert the figures "\$1,600.00."

In line 21, strike out the figures "\$13,990.00" and insert in lieu thereof the figures "\$15,590.00."

Renumber all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 210, have had the same under consideration and recommend that the same do pass.

FRED J. FREDRICKSON, Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Mining to whom was referred:

House Bill No. 307, have had the same under consideration and recommend that the same be amended as follows:

In line 8, strike out the words and figures "five dollars (\$5.00)" and insert in lieu thereof the words and figures "two dollars and fifty cents (\$2.50)."

And when so amended recommend that the same do pass.

R. A. OWINGS Chairman.

Senator Owings moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President. The Majority of Your Committee on State Affairs to whom was referred House Bill No. 287, have had the same under consideration and recommend that the same be indefinitely postponed.

> J. B. BRIDSTON H. C. GUENTHER A. N. LAVIK A. W. FOWLER BEN GILBERTSON WM. WATT G. F. DREW N. N. NELSON R. R. MORGAN T. E. WHELAN M. R. YOUNG

Mr. President. The Minority of Your Committee on State Affairs to whom was referred House Bill No. 287, have had the same under consideration and recommend that the same be amended as follows: In Section 10, line 8 after the word "other" insert the word "habit".

And when so amended recommend the same do pass.

C. C. MORRISON GUST WOG R. A. OWINGS AXEL OLSON ROB. GREISER

ANDREW SKARVOLD

Senator Morrison moved that the report of the minority of the Committee on State Affairs on House Bill No. 287 be adopted.

Senator Fowler made a substitute motion that the word "majority" be substituted for the word "minority".

Senator Gilbertson demanded a roll call which was granted.

ROLL CALL

The question being on the motion of Senator Fowler that the word "majority" be substituted for the word "minority", the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Fredrickson	Morgan
Aasen	Gilbertson	Nelson, Grand Fks.
Blaisdell	Gronvold	Stucke
Brant	Guenther	Торр
Bridston	Guthrie	Watt
Dahl	Lavik	Whelan
Drew	Leum	Young
Fowler	Magoffin	
Those voting in the	negative were:	A 1997 A 1997 A
Beaton	Lemke	Skarvold
Blank	Lian	Streibel
Duana	Manuiaan	The summer

Braun	Morrison	Thorson
Greiser	Nelson, McKenzie	Trout
Hill	Olson, McHenry	Troxel
Holl	Olson, Mountrail	Tweten
Isaak	Owings	Wog
Kamrath		•

Absent and not voting: Bilden Raschko Thatcher Flatt

So the motion of Senator Fowler prevailed.

Mr. President. The Majority of Your Committee on State Affairs to whom was referred House Bill No. 113, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON H. C. GUENTHER A. N. LAVIK A. W.FOWLER BEN GILBERTSON WM. WATT N. N. NELSON G. F. DREW R. R. MORGAN T. E. WHELAN M. R. YOUNG Mr. President. The Minority of Your Committee on State Affairs to whom was referred House Bill No. 113, have had the same under consideration and recommend that the same do pass.

ANDREW SKARVOLD C. C. MORRISON GUST WOG R. A. OWINGS AXEL OLSON ROB. GREISER

Senator Young moved that the report of the majority of the Committee on State Affairs on House Bill No. 113 be adopted.

Senator Morrison made a substitute motion that the word "minority" be substituted for the word "majority."

Senator Morrison demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Morrison that the word "minority" be substituted for the word "majority," the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Lemke	Skarveld
Blaisdell	Lian	Streibel
Brant	Morrison	Thorson
Greiser	Nelson, McKenzie	Trout
Hill	Olson, McHenry	Troxel
Holl	Olson, Mountrail	Tweten
Isaak	Owings	Wog
Kamrath	Raschko	

Those voting in the negative were:

Aandahl	Gilbertson	Morgan
Aasen	Gronvold	Nelson, Grand Fks.
Bridston	Guenther	Stucke
Dahl	Guthrie	Торр
Drew	Lavik	Watt
Flatt	Leum	Whelan
Fowler	Magoffin	Young
Fredrickson		
Absent and no	t voting were:	

Bilden Braun Thatcher Blank

So the motion of Senator Morrison prevailed.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred:

House Bill No. 306, have had the same under consideration and recommend that the same do pass.

HERMAN THORSON, Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your Committee on Insurance to whom was referred:

House Bill No. 359, have had the same under consideration and recommend that the same do pass.

> FRED J. FREDRICKSON ED. A. HILL P. W. BLANK WM. A. THATCHER C. C. MORRISON J. B.BRIDSTON JAMES W. GUTHRIE

Mr. President: A minority of your Committee on Insurance to whom was referred:

House Bill No. 359, have had the same under consideration and recommend that the same be indefinitely postponed. BEN GILBERTSON

Senator Fredrickson moved that the report of the majority of the Committee on Insurance on House Bill No. 359 be adopted, which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota OFFICE OF THE GOVERNOR Bismarck

February 28, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have to-day approved and filed

with the Secretary of State: Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Also,

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

JOHN MOSES, Governor.

Senator Olson of Mountrail moved that House Bill No. 351 be amended as follows:

Line 49, page 841 of the House Journal, after the word "legal," insert the words "and/or record," which motion prevailed.

Senator Olson of Mountrail moved that the rules be suspended and that House Bill No. 351 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 351. A Bill For an Act to Amend and Re-enact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4. Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; 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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Those voting in the negative were:

Aasen Whelan

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Watt moved that House Bill No. 36 be amended as follows:

Line 1, page 670, of the Senate Journal, strike out the words "by N. H. Darton" which motion prevailed.

Senator Watt moved that the rules be suspended and that House Bill No. 36 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 36. 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, as amended, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Guthrie	Olson, Mountrail
Holl	Owings
Isaak	Raschko
Kamrath	Skarvold
Lavik	Streibel
Lemke	Stucke
Leum	Thatcher
Lian	Topp
Magoffin	Trout
Morgan	Troxel
Morrison	Watt
Nelson, Grand Fks.	Whelan
Nelson, McKenzie	Wog
Olson, McHenry	Young
	Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Those voting in the negative were: Dahl Hill T Greiser Thorson

Tweten

Absent and not voting were: Aandahl Blaisdell

So the bill passed and the title was agreed to.

Senator Morrison requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Morrison moved that House Bill No. 70 be placed at the head of the calendar, which motion prevailed.

Senator Gronvold moved that House Bill No. 274 be placed at the foot of the calendar, which motion prevailed.

Senator Watt moved that the vote by which the Report of the Appropriations Committee on House Bill No. 33 was adopted, be reconsidered, which motion prevailed.

Senator Watt moved that House Bill No. 33 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Thorson moved that House Bill No. 70 be amended as follows:

Sec. 3, line 4 of the Engrossed Bill, strike out the words "One Dollar" and insert in lieu thereof the words "Fifty Cents", which motion prevailed.

Senator Aasen moved a further amendment to House Bill No. 70 as follows:

Strike the Emergency clause from the title, and

Strike out all of Section 12 of the bill, which motion prevailed.

Senator Thorson moved that the rules be suspended and that House Bill No. 70 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 13; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Isaak	Skarvold
Aasen	Kamrath	Stucke
Beaton	Lavik	Thatcher
Bilden	Lemke	Thorson
Bridston	Lian	Trout
Fredrickson	Morrison	Troxel
Gilbertson	Nelson, McKenzie	Tweten
Greiser	Olson, McHenry	Watt
Guenther	Olson, Mountrail	Whelan
Hill	Owings	Wog
Holl	Raschko	Young

Those voting in the negative were:

Blaisdell	Flatt	Morgan
Brant	Guthrie	Nelson, Grand Fks.
Braun	Leum	Streibel
Dahl	Magoffin	Topp
Drew	8	

Absent and not voting were: Blank Fowler

Gronvold

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which House Bill No. 70 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Olson of Mountrail: Mr. President, I want to explain my vote. I am voting for this bill for the simple reason that I think that two years from now, the farmers will all be in asking us to repeal this. I vote "Aye".

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any 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, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Guthrie		

Those voting in the negative were: Streibel

Absent and no	t voting were:	
Aandahl	Gilbertson	Olson, Mountrail
Brant	Gronvold	Watt
Fowler	Magoffin	

So the bill passed and the title was agreed to.

Senator Flatt moved that House Bill No. 312 be placed at the foot of the calendar, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, February 28, 1939

Mr. President: The House requests the return of:

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6, and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the Eighth Order of Business.

SECOND READING OF CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

Was read the second time.

Senator Flatt moved that House Concurrent Resolution No. 225 be adopted, which motion prevailed, and the resolution was declared adopted.

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debts for Actual Farm Families, Which Bill is Now Pending in Congress Known as 1. 136.

Was read the second time.

Senator Thorson moved that Senate Concurrent Resolution No. 285 be adopted, which motion prevailed, and the resolution was declared adopted.

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

Was read the second time.

Senator Thorson moved that House Concurrent Resolution

No. 248 be adopted, which motion prevailed, and the resolution was declared adopted.

Senator Fowler moved that Senate Bills No. 82 and 276 be returned to the House, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, February 28, 1939.

Mr. Speaker: I have the honor to return:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Which the House has requested.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 277;

Senate Bill No. 175;

Senate Bill No. 88;

Senate Bill No. 50; and

Senate Bill No. 29.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

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And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Watt moved the Senate recess until 7:30 P. M. for the second reading of House Bills, without roll calls, after which the Senate recess until 1:00 P. M., March 1st, which motion prevailed.

And the Senate stood recessed, pursuant to Senator Watt's motion.

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WM. J. LOWE, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND FIFTY-EIGHTH DAY

Bismarck, March 1, 1939.

The Senate re-convened at 1:00 P. M., pursuant to recess taken February 28th, with the President presiding.

The President announced that the Senate would be on the Eighth Order of Business.

Senator Drew moved that the Senate do not return Senate Bills No. 100 and 101 as these bills are now ready to be sent to the Governor, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to inform you that the Senate refuses to return:

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Due to the fact that they have been enrolled and signed by the President.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 240.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 332, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 267, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 58, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 45, have had the same under consideration and recommend that the same be amended as follows:

In the re-engrossed bill:

In line 3, strike out the figures "\$133,920.00" and insert in lieu thereof the figures "\$134,524.00."

In line 10, strike out the figures "\$3,600.00" and insert in lieu thereof the figures "\$4,000.00."

In line 11, strike out the figures "\$3,360.00" and insert

in lieu thereof the figures "\$3,600.00." In line 13, strike out the figures "\$2,160.00" and insert in lieu thereof the figures "\$2,400.00."

Strike out all of line 25.

In line 33, strike out the figures "\$133,920.00" and insert in lieu thereof the figures "\$134,524.00."

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

In line 4, strike out the figures "\$121,100.00" and insert in lieu thereof the figures "\$119,800.00."

In line 13, strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$1,500.00."

In line 14, strike out the figures "\$800.00" and insert in lieu thereof the figures "\$600.00."

In line 15, strike out the figures "\$200.00" and insert in lieu thereof the figures "\$300.00."

In line 17, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

In line 18, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 20, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$10,000.00."

In line 22, strike out the figures "\$18,200.00" and insert in lieu thereof the figures "\$13,200.00."

In line 26, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$2,000.00."

Following line 26 insert a new line to read "Construction" and insert the figures "\$10,000.00."

In line 27, strike out the figures "\$121,100.00" and insert in lieu thereof the figures "\$119,800.00."

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Braun moved that the report be adopted without reading and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bll No. 79, have had the same under consideration and return without recommendation.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Senator Watt moved that House Bill No. 79 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 105, have had the same under consideration and return without recommendation.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Watt moved that House Bill No. 105 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same be amended as follows:

After the enacting clause, strike out all lines to "Section 1" In Section 2, line 4 after the words "State Treasury" insert the following: "in the Game and Fish Fund."

Re-number the Emergency clause to read "Section 3".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 33, have had the same under consideration and recommend that the same be amended as follows:

In line 32 strike out the figure "\$4,000.00" and insert in lieu thereof the figure "\$6,000.00".

In line 35 strike out the figure "\$21,900.00" and insert in lieu thereof the figure "\$23,900.00".

And when so amended, recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same do pass. WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 253, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title strike out the words "Twentyfive Thousand" and insert in lieu thereof the words "Fifteen Thousand" (15,000) and in lines 5 and 6 change "Twenty-five Thousand (25,000)" to "Fifteen Thousand (15,000). Strike out everything after the word "years" in line 29 and up to the word "unless" in line 31.

And when so amended, recommend the same do pass.

J. C. BLAISDELL, JR., Chairman.

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

In line 1 after the word "appropriated" strike out all of line 2 and that portion of line 3 to and including "\$22,810.00", and insert in lieu thereof the following: "the sum of \$2,400.00 out of the Pullorum Fund of the State Livestock Sanitary Board and the sum of \$22,160.00 out of the State Treasury, not otherwise appropriated."

In line 13 strike out the figure "\$300.00" and insert in lieu thereof the figure "\$650.00".

In line 17 strike out the figure "\$500.00" and insert in lieu thereof the figure "\$700.00".

In line 19 strike out the figure \$1,200.00" and insert in lieu thereof the figure "\$2,400.00".

In line 20 strike out the figure "\$22,810.00" and insert in lieu thereof the figure "\$24,560.00".

And when so amended recommend the same do pass. WM. Watt, Chairman.

Senator Watt moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Senator Morrison requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Morrison moved that the vote by which the report of the Committee on Public Welfare to indefinitely postpone House Bill No. 128 was adopted, be reconsidered, which motion prevailed.

Senator Morrison moved that House Bill No. 128 be placed on the calendar, which motion prevailed.

Senator Watt moved that the vote by which the report of the Committee on Appropriations on House Bill No. 5 was adopted be reconsidered, which motion prevailed.

Senator Watt moved that House Bill No. 5 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Blaidell moved that House Bills No. 44 and 6 be placed at the head of the calendar, which motion prevailed.

FIRST READING OF JOINT RESOLUTION

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

Introduced by Senator Whelan and Rep. Fitch.

WHEREAS, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this Country anti- American forces are striving to discredit and destroy the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

WHEREAS, Never before in the history of the Nation has there been greater need among our people for the unity, cooperation and tolerance for which our Country's Flag stands; and

WHEREAS, With the Stars and Stripes as its emblem the United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the cooperation of various groups, organizations and fields of activity in our National life, conducting a National Patriotic Revival, culminating in FLAG WEEK, June 8th to 14th next, for the two-fold purpose (1) of awakening our people to the dangers threatening our National life, thereby causing them to resolve as never before to uphold and preserve our Country's ideals and institutions, and (2) of promoting National Unity, Patriotic Cooperation and Racial and Religious Tolerance; therefore, be it

RESOLVED by the Senate and the House of Representa-

tives of the State of North Dakota that they heartily indorse the plan for a great National Patriotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Commissioner of Public Instruction to arrange for the suitable observance of FLAG WEEK in all the public schools, and, secondly, to issue a proclamation calling upon the State officials to display the United States Flag on all State buildings during FLAG WEEK, and inviting the people of the State to fly the Flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

Was read for the first time.

Senator Whelan moved that the rules be suspended and that Joint Resolution "A" be adopted, which motion prevailed and Joint Resolution "A" was unanimously adopted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 212, also Senate Bill No. 90, were delivered to the Governor for his approval at the hour of 1:26 o'clock P. M., March 1, 1939.

W. J. TROUT, Chairman.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Subdivision (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143 of the Session Laws of North Dakota for 1933. Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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 House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration, or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exception Thereto; Providing for Method by Which Decrees of Adoption May be Attacked and Time When Such Proceedings Therefor May be Commenced; Specifying the Procedure by Which Custody of Children Involved in Such Proceedings May be Changed; and Declaring that an Emergency Exists.

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Senate Bill No. 212. A Bill For an Act Amending and Re-

enacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President. I have the honor to inform you that the House has refuse to concur in the Senate amendment to House Bill No. 311, and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. R. T. Gray, Rep. C. P. Ritter, Rep. J. Byrne.

MINNIE D. CRAIG, Chief Clerk.

Mr. President. I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills No. 15, 16, 17, 18, 19, and 20 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. L. L. Twichell, Rep. R. G. Beede, Rep. C. P. Ritter.

MINNIE D. CRAIG, Chief Clerk.

Mr. President. I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

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 Workmen's Compensation Bureau.

House Bill No. 46. A Bill for an Act Making an Appro-priation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Para-graph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Which the House has amended as follows:

Page 2, section 2, line 17, after the figures "1935" insert the words and figures "as amended by Chapter 176, Session Laws of 1937."

Page 3, section 2, line 53, after the word "issue," insert the following, "commencing not later than the third year and thereafter."

Page 4, section 3, line 83, strike out the word "refunding" and insert in lieu thereof the word "funding."

Page 4, section 3, line 85, after the figures "1939," strike out the period and insert in lieu thereof a "comma" and the following words "nor shall it apply where the funding or refunding bonds bear the same or lower rate of interest than the bonds refunded."

Senate amendments found on page 150 and 164 Senate Journal for printed bill.

MINNIE D. CRAIG, Chief Clerk.

Senator Hill moved that the Senate do concur in the House amendments to Senate Bill No. 55, which motion prevailed.

Senator Hill moved that the rules be suspended and Senate Bill No. 55 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder and Declaring an Emergency.

Was read the second time.

Blank

Brant

Braun

Dahl

Drew

Flatt

Fowler

Greiser

Fredrickson

Gilbertson

Blaisdell

Bridston

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting i	n the affirmative were:	
Aandahl	Guenther	Olson, l
Aasen	Guthrie	Owings
Beaton	Hill	Raschk
Bilden	Holl	Skarvol

Isaak

Lavik Lemke

Leum

Lian

Kamrath

Magoffin

Morrison

Morgan

Olson, Mountrail Owings Raschko Skarvold Streibel Stucke Thatcher Thorson Topp Trout Troxel Tweten

Gronvold So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Nelson, Grand Fks.

Nelson, McKenzie

Olson, McHenry

Senate Chamber,

Bismarck, March 1, 1939.

Watt

Wog

Young

Whelan

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to: Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Which the House has amended as follows:

In line 2 of the title of the printed bill strike out the word "By-Laws" and insert in lieu thereof the words "Compiled Laws".

MINNIE D. CRAIG, Chief Clerk.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 247, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 247 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Fredrickson

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker. I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Mr. President: I have the honor to return: Senate Bill No. 40. 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 Ex-tending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; Repealing to Thirty Days After the Passage of This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Which the House has amended as follows:

After the title insert the following: "WHEREAS, The members of the Twenty-Sixth Legislative Assembly of the State of North Dakota, being cognizant of the distress of the farmers, the laborers, the businessmen, the tenants and the property owners of the state, due to the extremely low prices of the products of the farm and the factory, and the large number of unemployed, and the severe financial and economic distress prevailing throughout this and other states of the nation during the past several years, and the further damage from grasshoppers and black rust of the past two years, and WHEREAS, Many owners of property by reason of said conditions are unable, and it is believed will for some time be unable, to meet all payments as they become due of taxes, interest and principal of mortgages or other liens on their properties, or to make the payments due on contracts for the purchase of real estate, and are therefore threatened with loss of such properties through mortgage or other foreclosure, judicial sale, or cancellation thereof, and

WHEREAS, It is believed that the owners of such property will suffer irreparable loss and damage if mortgage or lien foreclosure, or cancellation of contracts, or execution sale of property is had, because of lack of purchasers financially able to bid an adequate price therefore, and

WHEREAS, It has been reported that at many mortgage foreclosure or execution sales the property was bid in for prices much below what was believed to be its real value, and often for much less than the mortgage or judgment indebtedness against the same, thereby resulting in large deficiency judgments being entered against debtors, and

WHEREAS, Chapter 158 of the Session Laws of North Dakota for the year 1933, prohibiting the foreclosure of mortgages on real estate by advertisement in certain cases, is of doubtful validity insofar as it is made to apply to mortgage contracts in existence at the same time the act was passed and approved, and

WHEREAS, Chapter 159 of the Session Laws of North Dakota for the year 1937 prohibiting the obtaining of a deficiency judgment on mortgage foreclosure, is of doubtful validity insofar as it applies to mortgage contracts in existence at the time it was passed and approved, and

WHEREAS, It is the opinion of, and believed by the Legislature of the State of North Dakota that the conditions existing as hereinbefore set forth, has created an emergency of such nature that justifies and validates legislation for the extension of the time of redemption from mortgage foreclosure or other lien or judicial sales on execution or evictions and other relief of a like character, and

WHEREAS, The State of North Dakota has the right, in the opinion of its Legislative Assembly, to safeguard the vital interests of its people, and

WHEREAS, The State of North Dakota possesses the right under its police power to declare a state of emergency to exist, and

WHEREAS, The inherent and fundamental purpose of our government is to safeguard the public and promote the general welfare of the people, and

WHEREAS, Under existing conditions, foreclosure of real estate mortgages or other liens by advertisement would prevent fair, open and competitive bidding at the time of sale in the manner now contemplated by law, and

WHEREAS, It is believed, and the Legislature of North Dakota hereby declares its belief that the conditions existing, as hereinbefore set forth, have created an emergency of such a nature that justifies and validates changes in legislation providing for the temporary method, terms and conditions upon which mortgages or other lien foreclosures may be had or postponed, and jurisdiction to administer equitable relief in connection therewith may be conferred upon the district court.

In section 2, line 42 of the printed Bill, after the word "inadequate" insert the following: "or that the equity or equities of the mortgagor or mortgagors have been seriously impaired by the sale price,"

In section 1, after line 32, insert the following:

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(b) When any mortgagee or lienor, vendor or the assignee of either desires to foreclose any mortgage or lien or cancel any contract for the sale of land, he shall first make application to the District Court of the County where the property is situated, or if situated in more than one County, then in the County in which the instrument creating the obligation

was first filed, for permission to foreclose such mortgage or lien or cancel such contract, as the case may be. Upon the filing of the application, as aforesaid, the Court shall by letter addressed to the mortgagor, lience or vendee, as shown by the instrument of record, and if no address is shown, then to the post office nearest to the property in question, notifying such party to appear before the Court at a time fixed by the Court, which shall not be more than fifteen days after the date of notice to show cause if any he has why the ap-plication should not be granted. The hearing on the appli-cation shall be informal, the Court shall inquire into the equities existing between the parties, the ability of the mortgagor, lience, or vendee to pay the amount due or any part thereof at the present time, the question of taxes and all facts and circumstances in the particular case; and after such hearing the Court shall issue its order permitting the foreclosure of the mortgage or lien or the cancellation of the contract, or delaying for such time as in the judgment of the Court is fair and just the foreclosure of the mortgage or lien or the cancellation of the contract and fixing the time when, pursuant to the provisions of this Act, such mortgagee, lienor or vendor shall be permitted to institute such action.

Strike out section 10 of the printed bill and insert in lieu thereof the following:

SECTION 10. The provisions of this Act shall apply generally to all mortgages, liens and contracts, but shall not apply to any mortgage, lien, contract or lease while such mortgage is held by the United States or any agency, department, bureau, board, instrumentality or commission thereof, as security or pledge of the maker, its executors or assigns, nor to any mortgage held as security or pledge to secure payment of a public debt, or to secure payment of the deposit of public funds, nor to notes and obligations incurred under Title 1, or to Insured mortgages issued under Title 2 of the National Housing Act, but this Act shall include the Federal Land Bank, the Land Bank Commissioner and the Federal Farm Mortgage Corporation. This Act shall not include any Federal Intermediate Credit Bank, or Production Credit Association, nor any Bank for Co-operatives, nor the Regional Agricultural Credit Corporation. In line 125 of the printed bill, strike out the word "then"

and insert in lieu thereof the word "than."

In line 160 of the printed bill, strike out the word "cannot" and insert in lieu thereof the word "will."

In line 202 of the printed bill, strike out the words "one year from the date of entry of judgment" and insert in lieu thereof the words "July 1st, 1941."

MINNIE D. CRAIG, Chief Clerk.

Senator Guthrie moved that action on the House amendments to Senate Bill No. 40 be deferred one day, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 1, 1939.

Mr. President: I have the honor to return: Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Which the House has amended as follows:

On page 2 of the printed bill, section 2, line 1, strike out the figures "1935" and insert in lieu thereof the figures "1937."

MINNIE D. CRAIG, Chief Clerk.

Senator Thorson moved that the Senate do concur in the House amendments to Senate Bill No. 203, which motion prevailed.

Senator Thorson moved that the rules be suspended and Senate Bill No. 203 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Those voting in	the allimative were.	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streib=!
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
		and a second statement of the second s

Absent and not voting: Greiser

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Which the House has amended as follows:

In Section 1, line 3, strike out the words "to read" and insert in lieu thereof the words "by adding Section 7" before the words "as follows".

MINNIE D. CRAIG, Chief Clerk.

Senator Bridston moved that the Senate do concur in the House amendments to Senate Bill No. 182, which motion prevailed.

Senator Bridston moved that the rules be suspended and Senate Bill No. 182 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson

WEDNESDAY, MARCH 1, 1939

Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

WM. J. LOWE, Secretary.

Senator Lian requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Lian moved that the vote by which Senate Bill No. 277 was passed be reconsidered, which motion prevailed.

Senator Dahl moved that Senate Bill No. 277 be placed on the calendar, which motion prevailed.

Senator Dahl moved that Senate Bill No. 277 be indefinitely postponed.

Senator Watt made a substitute motion that further action on Senate Bill No. 277, be deferred one Legislative day, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Which the House has amended as follows:

Section 2588, page 3, line 39 after the word "large" insert the following: "in cases where no county residence has been determined," insert a comma after the word "certified" in line 39.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 86, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 86 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther		

Absent and not voting:

Aandahl

Trout

So the bill passed and the title was agreed to.

Fredrickson

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker. I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 1, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Which the House has amended as follows:

In line 11, of original Bill correct the spelling of the word "storage".

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 184, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 184 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in th	ne affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson '
Braun	Leum	Торр
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	•

Absent and not voting:

-1. . . .

Greiser Trout

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Guthrie moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 311.

And the President appointed as such committee:

Senator Gronvold,

Senator Troxel,

Senator Aasen.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bills No. 15, 16, 17, 18, 19 and 20.

And the President appointed as such committee:

Senator Watt,

Senator Aandahl,

Senator Guthrie.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY EIGHTH DAY

The Senate convened at 2:00 P. M. with the President presiding.

Prayer by the Chaplain, Adj. Walter Millar. Roll Call: All Senators present.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

Which the Senate has amended as follows:

Strike out all amendments put on by the State Affairs Committee, on page 388 of the Senate Journal.

Section 6, line 3, after the word "appropriated" strike out the balance of the line and line 4 up to the word "the."

WM. J. LOWE, Secretary.

House Bill No. 36. 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.

Which the Senate has amended as follows:

Line 1, page 670, of the Senate Journal, strike out the words "by N. H. Darton."

WM. J. LOWE, Secretary.

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on

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the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

Which the Senate has amended as follows:

Sec. 3, line 4 of the Engrossed Bill, strike out the words "One Dollar" and insert in lieu thereof the words "Fifty Cents."

Strike the Emergency clause from the title, and

Strike out all of Section 12 of the bill.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 327. A Bill for an Act Prescribing the Qualifications of County Coroner.

House Bill No. 181. A Bill for an Act to Repeal Section 2173 of the Compiled Laws of North Dakota for 1913; Being an Act Authorizing the County Commissioners to Contract With the Sheriff for the Collection of Delinquent Personal Property Taxes for Additional Compensation.

House Bill No. 321. A Bill for an Act to Amend and Reenact Chapter 5-a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota by Inserting and Adding Thereto Section 10500a6a, Providing for Joint and Several Liability by More Than One Possible Father and Declaring an Emergency.

House Bill No. 139. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3 of Chapter 214 of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941; to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937 as Amended by the Initiated Act Approved November 8, 1938; Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 287. A Bill for an Act Defining, Licens-

ing, Regulating the Practice of Naturopathy in the State of North Dakota; Creating a Board of Naturopathic Examiners to Examine and License Persons to Practice Naturopathy; Providing for the Enforcement of the Provisions of This Act and Prescribing Penalties for the Violation Thereof.

House Bill No. 364. A Bill for an Act to Amend and Reenact Section 10322a3 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 130 of the Session Laws of 1929, Relating to the Game and Fish Department of the State of North Dakota.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

Which the Senate has passed.

WM. J. LOWE, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-sixth day after recess and the Fifty-seventh day and found the same correct.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 198, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Gronvold moved that the vote by which the report of the Committee on Taxes and Tax Laws on House Bill No. 198 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 331, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 246, have had the same under consideration and recommend that the same be indefinitely postponed.

J. C. BLAISDELL, JR., Chairman.

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 234, have had the same under consideration and recommend that the same be indefinitely postponed.

J. C. BLAISDELL, Chairman.

Senator Blaisdell moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Blaisdell moved that the vote by which the report of the Committee on Corporations on House Bill No. 234 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blaisdell moved that the vote by which the report of the Committee on Corporations on House Bill No. 246 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Flatt moved that House Bill No. 312 be placed at the head of the calendar, which motion prevailed.

Senator Flatt moved that House Bill No. 312 be indefinitely postponed, which motion prevailed.

Senator Blaisdell moved that after the vote on House Bills No. 44 and 6, the following bills be placed at the head of the calendar: House Bills No. 131, 10, 11, 13, 24, 5 and 8, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 1, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators: Gronvold, Troxel and Aasen, relative to Senate Amendments on House Bill No. 311.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators: Watt, Aandahl, and Guthrie, relative to Senate amendments to House Bill Nos. 15, 16, 17, 18, 19 and 20.

WM. J. LOWE, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thorson
Bridston	Lemke	Торр
Braun	Leum	Trout
Dahl	Lian	Troxel

Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting were: Gilbertson Thatcher So the bill passed and the title was agreed to.

House Bill No. 6. 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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting	in t	the	affirmative	were:
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Those voting in	the allimative were.	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Lemke	Stucke
Brant	Leum	Thorson
Bridston	Lian	Topp
Braun	Magoffin	Trout
Dahl	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Watt
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

Those voting in the negative were: Drew Flatt Lavik

Absent and not voting were: Kamrath Thatcher

Whelan

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Raschko moved that the vote by which House Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investiga-

tion and Development of the Lignite 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, 38; nays, 0; absent and not voting, 11.

Those voting in	the affirmative were:	
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Lavik	Streibel
Blaisdell	Lemke	Stucke
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Troxel
Flatt	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	
Absent and not	voting:	

Absent and not Aandahl	voting: Greiser	Thatcher
Brant	Guthrie	Watt
Fowler	Kamrath	Whelan
Fredrickson	Owings	
a		A TANK A SALAR TANKS

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 Salary, Clerk Hire, 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, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

the affirmative were:	
Gronvold	Olson, McHenry
Hill	Olson, Mountrail
Holl	Raschko
Isaak	Skarvold
Lavik	Streibel
Lemke	Stucke
Leum	Topp
Lian	Troxel
Magoffin	Tweten
Morgan	Whelan
Morrison	Wog
Nelson, Grand Fks.	Young
Nelson, McKenzie	
voting were:	
Guthrie	Thorson
Kamrath	Trout
Owings	Watt
Thatcher	
	Hill Holl Isaak Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie voting were: Guthrie Kamrath Owings

So the bill passed and the title was agreed to.

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House Bill No. 11. 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, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aasen	Guenther	Olson, McHenry
Beaton	Hill	Olson, Mountrail
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	

Absent and not voting:

Aandahl	Guthrie	Trout
Brant	Kamrath	Watt
Dahl	Owings	Young
Fredrickson	Thatcher	

So the bill passed and the title was agreed to.

House Bill No. 13. 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, as amended, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aasen	Guenther	Olson, McHenry	
Beaton	Hill	Olson, Mountrail	
Bilden	Holl	Raschko	
Blank	Isaak	Skarvold	
Blaisdell	Lavik	Streibel	
Bridston	Lemke	Stucke	
Dahl	Leum	Thorson	
Drew	Lian	Торр	
Flatt	Magoffin	Trout	
Fowler	Morgan	Troxel	
Gilbertson	Morrison	Tweten	
Greiser	Nelson, Grand Fks.	Whelan	
Gronvold	Nelson, McKenzie	Wog	
Absent and not	voting:		
Aandahl	Guthrie	Thatcher	
Brant	Kamrath	Watt	

Braun Fredrickson

Young

So the bill passed and the title was agreed to.

Owings

House Bill No. 24. 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, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aasen	Guenther	Olson, Mountrail
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Lavik	Stucke
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	•	

Absent and not voting:

Aandahl	Guthrie	Owings
Brant	Kamrath	Thatcher
Fredrickson	Nelson, Grand Fks.	Watt

So the bill passed and the title was agreed to.

Senator Flatt requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Flatt read the following communication:

J. L. Flatt,

Senate Chamber.

Hon. C. O. Heckle passed away last night. Advise Senate.

Remington.

Senator Flatt announced that as Mr. Heckle had been a state senator during the years of 1913, 1915, and 1917, he would move at this time the Senate stand recessed for fifteen minutes in memory of ex-senator Heckle, which motion carried.

And the Senate stood recessed.

The Senate re-convened at the expiration of the fifteen minute recess.

The President announced that the Senate would be on the 13th Order of Business.

Lisbon, N. D. March 1, 1939.

SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary Clerk Hire, 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, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

A HOUC TOULLE IN	the distribute of the court	
Aasen	Holl	Raschko
Beaton	Lavik	Skarvold
Bilden	Lemke	Streibel
Blank	Lian	Stucke
Blaisdell	Magoffin	Thorson
Dahl	Morgan	Topp
Drew	Morrison	Trout
Fowler	Nelson, Grand Fks.	Troxel
Fredrickson	Nelson, McKenzie	Tweten
Gilbertson	Olson, McHenry	Whelan
Greiser	Olson, Mountrail	Wog
Gronvold	Owings	Young
Guthrie		

Absent and not voting:

Aandahl	Flatt	Kamrath
Brant	Guenther	Leum
Bridston	Hill	Thatcher
Braun	Isaak	Watt

So the bill passed and the title was agreed to.

Senator Morrison requested that the Senate be on the Eighth Order of Business, which request was granted. Senator Morrison moved that House Bill No. 128 be placed

Senator Morrison moved that House Bill No. 128 be placed at the head of the calendar for Second Reading and Final Passage, which motion prevailed.

Senator Morrison demanded a call of the Senate, which was granted.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 238, have had the same under consideration and recommend that the same be indefinitely postponed for the reason that this bill came over from the House without a constitutional majority.

N. N. NELSON A. N. LAVIK J. C. BLAISDELL C. P. DAHL WILLIAM KAMRATH HERMAN THORSON OTTO TOPP JAMES P. GUTHRIE B. W. LEMKE.

Senator Nelson (Grand Forks) moved that the report be adopted, which motion prevailed, and the report was adopted. Senator Nelson moved that the vote by which the report of the Committee on Temperance on House Bill No. 238 was adopted, be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morrison moved that further call of the Senate be dispensed with, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 128. A Bill for an Act to Amend and Reenact 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; Relating to Relief for the Poor; Describing the Establishment of a County Relief Board by the Board of County Commissioners, Constituting the County Commissioners in the Respective Counties to Replace the County Welfare Board; 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, 18; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

Blank	Olson, McHenry	Thorson
Greiser	Olson, Mountrail	Trout
Isaak	Owings	Troxel
Lemke	Raschko	Tweten
Morrison	Streibel	Whelan
Nelson, McKenzie	Thatcher	Young

Those voting in	the negative were:	
Aandahl	Fowler	Lavik
Aasen	Fredrickson	Lian
Beaton	Gilbertson	Magoffin
Bilden	Gronvold	Morgan
Blaisdell	Guenther	Nelson, Grand Fks.
Brant	Guthrie	Skarvold
Bridston	Hill	Stucke
Braun	Holl	Topp
Dahl	Kamrath	Wog
Drew		-

Absent and not voting:

Flatt Leum Watt So the bill lost.

Senator Morgan moved that the vote by which House Bill No. 128 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Stucke: "Mr. President, I want to explain my vote. I am voting 'no' on this bill for the reason that there is a grave question that it might interfere with the federal aid now coming into the state, therefore I vote 'no'."

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that House Bill No. 253 be placed at the head of the calendar, which motion prevailed. Senator Morrison moved that House Bill No. 113 be placed at the head of the calendar, immediately following House Bill No. 253, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives. Bismarck, March 1, 1939.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

MINNIE D. CRAIG, Chief Clerk.

The President called Senator Stucke to the Chair.

Senator Blank moved that House Bill No. 253 be amended as follows:

In line 5 of the title, as amended, change the words and figures "Fifteen Thousand (15,000)" to "Ten Thousand (10,000)."

Which motion prevailed.

Senator Blaisdell moved that the rules be suspended and that House Bill No. 253 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants. Was read the second time.

au the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Торр
Braun	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt

Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young

Those voting in the negative were: Hill

Absent and not voting:

Dahl

Thorson

Guthrie So the bill passed and the title was agreed to.

Senator Braun 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.

Senator Gilbertson requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Gilbertson moved that House Bill No. 113 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1938, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Those voting in	the affirmative were:	
Aandahl	Fredrickson	Magoffin
Aasen	Gilbertson	Morgan
Beaton	Gronvold	Nelson, Grand Fks.
Blank	Guenther	Raschko
Blaisdell	Hill	Торр
Brant	Holl	Trout
Bridston	Isaak	Troxel
Braun	Lavik	Watt
Dahl	Lemke	Whelan
Drew	Leum	Wog
Flatt	Lian	Young
Fowler		

Those voting in the	negative were:	
Greiser	Olson, McHenry	Streibel
Kamrath	Olson, Mountrail	Stucke
Morrison	Owings	Thatcher
Nelson, McKenzie	Skarvold	Tweten

Absent and not voting: Guthrie Bilden

Thorson

So the bill passed and the title was agreed to.

Senator Whelan moved that the vote by which House Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment 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, 39; nays, 8; absent and not voting, 2.

Those voting in	the affirmative were:	
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lemke	Торр
Bridston	Leum	Trout
Braun	Lian	Troxel
Dahl	Magoffin	Tweten
Drew	Morgan	Watt
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
m1	Contraction of the State of the	

	the negative were:	12-2.00
Aandahl	Isaak	Owings
Flatt	Lavik	Streibel
Greiser	Olson, Mountrail	

Absent and not voting:

Guthrie Thorson

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the vote by which House Bill No. 270 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morrison: "Mr. President, I wish to explain my vote. Every year when the children graduate from the high school, men come in from Minot, Minneapolis and elsewhere and take pictures of them. This takes the business away from the local photographers and is very unfair. Therefore I vote 'aye'."

Senator Blank moved that House Bill No. 168 be amended as follows:

In lines 10 and 15 of the engrossed bill, change to read "6,000" to correspond with amendments made previously, which motion prevailed.

Senator Blank moved that the rules be suspended and that House Bill No. 168 be on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents. Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Those voting in th	e affirmative were:	
Aasen	Guenther	Olson, McHenry
Bilden	Hill	Olson, Mountrail
Blank	Holl	Owings
Blaisdell	Isaak	Skarvold
Drew	Kamrath	Streibel
Flatt	Lavik	Stucke
Fowler	Lemke	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Those voting in th	ne negative were:	
Aandahl	Fredrickson	Morgan
Beaton	Guthrie	Raschko

Aandahl	Fredrickson	Morgan
Beaton	Guthrie	Raschko
Brant	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Absent and no	t voting:	

Bridston Thorson Watt Thatcher

So the bill passed and the title was agreed to.

Senator Gilbertson 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.

House Bill No. 12. 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, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

e affirmative were:		
Gronvold	Olson, McHenry	
Guenther	Olson, Mountrail	
Hill	Owings	
Holl	Raschko	
Isaak	Skarvold	
Kamrath	Streibel	
Lavik	Stucke	
Lemke	Thatcher	
Leum	Торр	
Lian	Trout	
Magoffin	Troxel	
	Tweten	
Morrison	Whelan	
	Gronvold Guenther Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan	

Gilbertson	Nelson, Grand Fks.	
Greiser	Nelson, McKenzie	Young
and the second second second		

Absent and not voting: Aandahl Watt Thorson Guthrie

So the bill passed and the title was agreed to.

Senator Whelan requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Whelan moved that House Bill No. 32 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Gronvold moved that the vote by which House Bill No. 291 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted. Senator Blaisdell moved that House Bill No. 150 be placed

at the foot of the calendar, which motion prevailed.

Senator Blank moved that House Bill No. 310 be placed at the head of the calendar, which motion prevailed.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to

the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those	voting	in	the	affirmative	were:	
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Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Guthrie	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Gilbertson	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Those voting in the negative were: Hill Lemke

So the bill passed and the title was agreed to.

Senator Whelan moved that House Bill No. 277 be amended as follows:

On page 674 of the Senate Journal:

In line 4 of the title, strike out the words "fruit juices" and in line 14, Section 1, strike out the words "sweet fruit juices or", which motion prevailed.

Senator Whelan moved that the rules be suspended and that House Bill No. 277 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Owings
Aasen	Guthrie	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel

.

Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Olson, Mountrail	Contraction of the

Absent and not voting:

Flatt Hill

So the bill passed and the title was agreed to.

Senator Whelan moved that the vote by which House Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President resumed the Chair.

Senator Aasen moved that House Bill No. 175 be amended as follows:

Page 2, line 12, strike out the word "eight" and insert the word "twelve".

Senator Owings made a substitute motion that the motion of Senator Aasen be laid on the table, which motion prevailed.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan

Gilbertson Greiser

Nelson, Grand Fks. Wog Nelson, McKenzie Young

Absent and not voting: Trout

So the bill passed and the title was agreed to.

Senator Tweten moved that the vote by which House Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brant moved that House Bill No. 194 be amended as follows:

On page 678 of the Senate Journal:

Lines 13, 13a and 14, strike out the words "his property located within said County" and insert the words "the property described in said contract," which motion prevailed.

Senator Brant moved that the rules be suspended and that House Bill No. 194 be placed on second reading and final passage, as amended, which motion prevailed.

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action 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, 1; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Raschko
Bilden	Hill	Skarvold
Blank	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Troxel
Drew	Lian	Tweten
Flatt	Magoffin	Watt
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Those voting in the negative were: Owings

Absent and not voting: Trout

So the bill passed and the title was agreed to and the Emergency Clause was declared carried. Senator Fowler moved that the vote by which House Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a 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, 48; nays, 0; absent and not voting, 1.

Those voting in the	affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting: Bridston

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Olson of Mountrail moved that the vote by which House Bill No. 257 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that House Bill No. 157 be placed at the head of the calendar, which motion prevailed.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative	were:	
---------------------------------	-------	--

Guthrie	Raschko
Hill	Skarvold
Holl	Streibel
Isaak	Stucke
Kamrath	Thatcher
Lemke	Thorson
Leum	Topp
Lian	Trout
	Troxel
	Tweten
	Watt
	Whelan
	Wog
	Young
Owings	
	Hill Holl Isaak Kamrath Lemke Leum Lian Magoffin Morgan Nelson, Grand Fks. Nelson, McKenzie Olson, McHenry Olson, Mountrail

Absent and not	t voting were:	
Bridston	Fowler	Morrison
Braun	Lavik	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dahl moved that the vote by which House Bill No. 157 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in th	e affirmative were:	
Aasen	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Guthrie	Owings
Blank	Holl	Skarvold
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Those voting in th	ne negative were:	
Aandahl Hill	Raschko	Streibel

Absent and not voting were: Flatt Lavik

Tweten

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Guthrie moved that the vote by which House Bill No. 120 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Whelan requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Whelan moved that House Bill No. 396 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the	affirmative were:	
Aandahl	Flatt	Olson, McHenry
Aasen	Fowler	Skarvold
Beaton	Fredrickson	Stucke
Bilden	Guenther	Troxel
Blank	Guthrie	Tweten
Blaisdell	Lavik	Watt
Brant	Magoffin	Whelan
Bridston	Morrison	Wog
Braun	Nelson, McKenzie	

Those voting in t	he negative were:	
Dahl	Kamrath	Raschko
Drew	Lemke	Streibel
Gilbertson	Leum	Thatcher
Greiser	Lian	Thorson
Gronvold	Morgan	Topp
Hill	Nelson, Grand Fks.	Trout
Holl	Olson, Mountrail	Young
Isaak	Owings	

So the bill passed and the title was agreed to.

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in th	ne affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Absent and not voting: Stucke Wog

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Hill 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.

Senator Watt moved that House Bill No. 61 be amended as follows:

All Senate amendments be stricken out and House Bill No. 61 be placed on Second Reading and Final Passage, as sent over by the House, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that House Bill No. 61 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Sixty-five Per Cent of the Freeholders or Livestock Owners in Such 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, 31; nays, 17; absent and not voting, 1.

Those voting	in the affirmative were:	
Aandahl	Flatt	Magoffin
Aasen	Fowler	Morrison
Beaton	Fredrickson	Nelson, Grand Fks.
Bilden	Gilbertson	Raschko
Blank	Greiser	Topp
Blaisdell	Gronvold	Troxel
Brant	Guenther	Tweten
Bridston	Lemke	Watt
Braun	Leum	Whelan
Dahl	Lian	Young
Drew		

Those voting in the	negative were:	
Hill	Nelson, McKenzie	Stucke
Holl	Olson, McHenry	Thatcher
Isaak	Olson, Mountrail	Thorson
Kamrath	Owings	Trout
Lavik	Skarvold	Wog
Morgan	Streibel	

Absent and not voting:

Guthrie

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Morrison moved that the vote by which House Bill No. 61 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Olson of Mountrail: Mr. President, I want to explain my vote. This is one time when the doctors, lawyers, bankers, school-teachers and what-have-you are giving the farmers something; I vote "no."

Senator Morrison requested that the Senate be on the Eighth Order of Business, which motion prevailed.

Senator Morrison moved that House Bill No. 113 be placed at the head of the calendar.

Senator Blaisdell made a substitute motion that the Senate be on the Thirteenth Order of Business for the Second Reading of all House Bills, without roll calls, and on the completion of the Thirteenth Order of Business, the Senate recess until 10:00 A. M., March 2nd, which motion prevailed.

And the Senate stood recessed pursuant to the motion of Senator Blaisdell.

WM. J. LOWE, Secretary.

FIFTY-EIGHTH DAY AFTER RECESS AND FIFTY-NINTH DAY

Bismarck, March 2, 1939. The Senate Re-convened at 10:00 A. M. pursuant to recess taken, March 1st, with the President presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota OFFICE OF THE GOVERNOR Bismarck, February 28, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Also

Senate Bill No. 112. A Bill for an Act to Amend and Re enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

JOHN MOSES, Governor.

Senator Blaisdell moved that the Senate be on the 13th Order of Business, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in	the affirmative were:	
Aandahl	Guenther	Nelson, McKenzie
Aasen	Guthrie	Olson, McHenry
Beaton	Hill	Owings
Bilden	Holl	Raschko

Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Morgan	Troxel
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Gronvold		

Absent and not voting were:

Braun	Magoffin	Tweten
Fowler	Olson, Mountrail	Watt
Greiser	Thatcher	Young
~		

So the bill passed and the title was agreed to.

Senator Gronvold moved that the vote by which House Bill No. 32 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%) of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Seventy-five Per Cent (75%) of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five Per Cent (25%) to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; 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, 22; nays, 20; absent and not voting, 7.

Those voting in the affirmative were:

		Mr. Standard and
Beaton	Kamrath	Streibel
Blank	Nelson, McKenzie	Stucke
Brant	Olson, McHenry	Thorson
Gronvold	Olson, Mountrail	Troxel
Guenther	Owings	Trout
Hill	Raschko	Tweten
Holl	Skarvold	Wog
Isaak		

Those voting in the negative were:AasenFredricksonBildenGilbertsonBlaisdellGuthrieBridstonLavikDahlLemkeDrewLeumFlattLian

Morgan Morrison Nelson, Grand Fks. Topp Whelan Young

1

n

Absent and not voting:

Aandahl	Greiser
Braun	Magoffi
Fowler	

Thatcher Watt

So the bill lost for want of constitutional majority.

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing 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, 37; nays, 6; absent and not voting, 6.

Those voting in the	affirmative were:	
Beaton	Holl	Owings
Bilden	Isaak	Raschko
Blank	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Brant	Lemke	Stucke
Bridston	Leum	Thatcher
Dahl	Magoffin	Thorson
Flatt	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young
Hill		

Those	voting	in	the	negative were:	
Aasen				Gronvold	
Drew				Lian	

Nelson, Grand Fks. Topp

Absent and not voting: Aandahl Fowler

Trout Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Greiser

Senator Thorson moved that the vote by which House Bill No. 396 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Braun

Senator Blank moved that House Bill No. 267 be amended as follows:

Page 2, line 5 and page 4, line 12, after the word "surgeon" insert the words "osteopaths and chiropractors" which motion prevailed.

Senator Blank moved that the rules be suspended and that House Bill No. 267 be placed on second reading and final passage, as amended, which motion prevailed.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage to Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof; Providing for the Date Upon Which the Act Shall Take Effect.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 20; absent and not voting, 3; passed, 1.

Those voting in	the affirmative were:	
Beaton	Lian	Raschko
Blank	Magoffin	Skarvold
Brant	Morgan	Streibel
Dahl	Morrison	Thatcher
Greiser	Nelson, McKenzie	Thorson
Hill	Olson, McHenry	Troxel
Isaak	Olson, Mountrail	Tweten
Kamrath	Owings	Wog

Those voting in the negative were: Aasen Fredrickson Bilden Gilbertson Blaisdell Gronvold Bridston Guenther Drew Guthrie Flatt Holl Fowler Lavik

Wog

Watt

Leum Nelson, Grand Fks. Topp Trout Whelan Young

Absent and not voting: Aandahl Braun Passed:

Stucke

Lemke

So the bill passed and the title was agreed to.

Senator Thorson moved that Senator Stucke be excused from voting, which motion prevailed.

Senator Blaisdell requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Blaisdell moved that Senate Bill No. 277 be placed at the head of the calendar, which motion prevailed.

Senator Blaisdell moved that Senate Bill No. 277 be amended as follows:

Strike out everything after the words "A Bill," and insert the following:

For an Act Making Appropriation to Provide Funds for the Payment of Salary and Expenses Due Inspectors of the Motor Vehicle Registrar Department and Making an Appropriation in the Sum of \$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 Fund for the Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There Was no Appropriation; and Declaring an Emergency.

. WHEREAS, it appears that the former Registrar of the Motor Vehicle Department Employed Several Inspectors contrary to and in disregard of Section 9 of Chapter 199 of the Session Laws of North Dakota for 1933, for the purpose of investigating and reporting violations of laws requiring the registration of all motor vehicles;

WHEREAS, it appears that all of said inspectors so employed rendered the services and paid expenses required of them to be performed during the months of January and up to February 15, 1939, inclusive, when they were dismissed and discharged from such employment; and that there is now due to such inspectors for services and paid expenses so rendered by virtue of their said employment the sum of two thousand four hundred fifty-nine dollars and eighty-four cents (\$2,459.84); and

WHEREAS, it appears that there is no authority in law to warrant the payment of said inspectors out of the Motor Vehicle Registration Fund and that the State Auditing Board has no authority to approve or allow for payment the claims of such inspectors for salaries and expenses due them; and that it will be necessary to make an appropriation in the aforesaid sum for salaries and expenses due such inspectors that remain unpaid.

THEREFORE BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. That there is hereby appropriated out of moneys in the State Treasury in the Motor Vehicle Registration Fund, not otherwise appropriated, the sum of two thousand four hundred fifty-nine dollars and eighty-four cents (\$2,459.84) for the purpose of paying the salaries and expenses of inspectors employed by the former Registrar of the Motor Vehicle Department for services and paid expenses rendered by them pursuant to such employment.

SECTION 2. There is appropriated out of any funds of the State of North Dakota, not otherwise appropriated, the sum of one thousand two hundred forty dollars and fifty-one cents (\$1,240.51) or so much thereof as may be necessary to pay the expenses incurred by the said O. P. Shelstad in conducting the office of the State Dairy Commissioner of North Dakota for the period of from July 1, 1933, to December 31, 1934, as shown by the vouchers of such expenses filed by the said O. P. Shelstad with the Auditor of the State of North Dakota, and which have not been paid by the Auditor.

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.

Senator Blaisdell moved that further action on Senate Bill No. 277 be deferred until Senator Watt is in the Senate Chamber, which motion prevailed.

Senator Gronvold moved the following amendments to House Bill No. 274:

In section 7, line 15, of the printed bill, after the word "payment" strike out the balance of the line and lines 16 to 26 inclusive.

In sub-division 4 of section 21, page 36 of the printed bill, strike out lines 85, 86 and 87 and insert in lieu thereof the following words: "Provided further that for the biennial period ending June 30, 1941, the Commission shall not thus pledge, hypothecate or place under trust indenture, or agree to pledge, hypothecate or to place under trust indenture, an aggregate amount in excess of forty-five thousand dollars and provided further that any agreement to thus pledge, hypothecate, or place under trust indenture any amount in excess of forty-five thousand dollars shall be, and is hereby declared null and void, provided, however, that the appropriation or use of said \$45,000 shall not be construed to be the pledging of the credit of the State of North Dakota nor the guaranteeing of any bonds issued hereunder.

Senator Gronvold moved that the rules be suspended and that House Bill No. 274 be placed on second reading and final passage, as amended, which motion prevailed.

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 Con-cerning Inter-state Compacts and Commissions; Providing for the Purchase and Condemnation, and Otherwise to Acquire Lands and Water Rights 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; Validating Proceeding and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing 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, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Those voting in the	allirmative were:		
Aandahl	Guenther	Olson, Mountrail	
Aasen	Guthrie	Owings	
Beaton	Holl	Raschko	
Bilden	Kamrath	Skarvold	
Blank	Lavik	Stucke	
Blaisdell	Lemke	Thatcher	
Bridston	Leum	Thorson	
Dahl	Lian	Topp	
Drew	Magoffin	Trout	
Fowler	Morgan	Troxel	
Fredrickson	Morrison	Tweten	
Gilbertson	Nelson, Grand Fks.	Whelan	
Greiser	Nelson, McKenzie	Wog	
Gronvold	Olson, McHenry	Young	
Those voting in the	negative were:		
Hill	Isaak	Streibel	
Absent and not vot	ing:		
Brant Braun	Flatt	Watt	

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Gronvold moved that the vote by which House Bill No. 274 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morrison requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Morrison moved that House Bill No. 113 be placed at the head of the calendar, which motion prevailed.

House Bill No. 113. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Boards Administering Poor Relief to Give Equal Consideration to Legally Licensed Practitioners of Medicine, Osteopathy, Chiropractic, Dentistry, Optometry, and Any Other Legally Licensed Practitioner, 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, 21; nays, 24; absent and not voting, 4.

Those voting in	n the affirmative were:	
Brant	Lemke	Skarvold
Flatt	Lian	Streibel
Greiser	Morrison	Thorson
Hill	Nelson, McKenzie	Trout
Holl	Olson, McHenry	Tweten
Isaak	Olson, Mountrail	Wog
Kamrath	Owings	Young
	0	

Aandahl	Fredrickson	Morgan
Aasen	Gilbertson	Nelson, Grand Fks
Beaton	Gronvold	Raschko
Blaisdell	Guenther	Stucke
Bridston	Guthrie	Thatcher
Dahl	Lavik	Торр
Drew	Leum	Troxel
Fowler	Magoffin	Whelan

Absent and not voting: Bilden Braun Watt Blank · So the bill lost.

Senator Guthrie moved that the vote by which House Bill No. 113 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Owings
Beaton	Holl	Raschko
Bilder	Kamrath	Skarvold
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson

THURSDAY, MARCH 2, 1939

Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	and the second s	
These mating in	the mean time many	

I nose voting in the	negative were:	
Hill	Olson, Mountrail	Tweten
Isaak	Streibel	

Absent and not voting: Blank Gilbertson Watt Braun

So the bill passed and the title was agreed to.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan 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, 43; nays, 1; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Olson, McHenry
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Owings
Bilden	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Dahl	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther		

Those voting in the negative were: Thatcher

Absent and	not voting were:		1
Blank	Fowler	Whelan	4.1
Braun	Watt		

So the bill passed and the title was agreed to.

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163a1 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Those voting in th	e affirmative were:	
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Brant	Lemke	Thorson
Bridston	Leum	Торр
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Olson, McHenry	Whelan
Fredrickson	Olson, Mountrail	Wog
Greiser	Owings	Young
Those voting in th	ne negative were:	
Dahl	Isaak	Nelson, Grand Fks.
Gilbertson	Lian	Nelson, McKenzie
Gronvold	Morrison	Tweten

Absent and not voting: Aandahl Braun Watt

So the bill passed and the title was agreed to.

Senator Frederickson moved that the vote by which House Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Guenther

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

I nose voting in the	allimative were.	
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Thorson
Flatt	Lian	Topp
Fowler	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
reiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young

Absent and not voting were: Aandahl Watt N Braun

Whelan

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Young moved that the vote by which House Bill No. 263 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President announced that the Senate would be on the 8th Order of Business.

SECOND READING OF CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payment in Lieu of Taxes on Land Acquired in This State by Various Departments, Bureaus and Agencies of the Government, and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

Was read the second time.

Senator Hill moved that House Concurrent Resolution No. 179 be adopted, which motion prevailed, and the resolution was declared adopted.

Senator Hill moved that the vote by which House Concurrent Resolution No. 179 was adopted be reconsidered and the motion to reconsider be laid on the table.

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Was read the second time.

Senator Guthrie moved that House Concurrent Resolution No. 400 be adopted, which motion prevailed, and the resolution was declared adopted.

Senator Guthrie moved that the vote by which House Concurrent Resolution 400 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

the affirmative were:	
Guthrie	Olson, Mountrail
Hill	Owings
Holl	Raschko
Isaak	Skarvold
Kamrath	Streibel
Lavik	Stucke
Lemke	Thatcher
Leum	Thorson
Lian	Topp
Magoffin	Trout
Morgan	Troxel
	Tweten
	Whelan
	Wog
Olson, McHenry	Young
	Guthrie Hill Holl Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan Morrison Nelson, Grand Fks. Nelson, McKenzie

Absent and not voting: Blaisdell Braun Watt Brant

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Guthrie moved that the vote by which House Bill No. 375 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 6.

e

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Lian moved that the vote by which House Bill No. 259 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President announced that the Senate would be on the 8th Order of Business.

SECOND READING OF CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

Was read the second time.

Senator Guthrie moved that House Concurrent Resolution No. 368 be adopted, which motion prevailed, and the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aandahl	Hon	Olson, Mountrail
Aasen	Isaak	Owings
Beaton	Kamrath	Raschko
Blank	Lavik	Skarvold
Bridston	Lemke	Streibel
Dahl	Leum	Stucke
Drew	Lian	Thorson
Flatt	Magoffin	Topp
Fredrickson	Morgan	Trout
Gilbertson	Morrison	Troxel
Gronvold	Nelson, Grand Fks.	Tweten
Guenther	Nelson, McKenzie	Whelan
Guthrie Hill	Olson, McHenry	Young

Absent and not voting:

Bilden	Braun	Thatcher
Blaisdell	Fowler	Watt
Brant	Greiser	Wog

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Streibel moved that the vote by which House Bill No. 353 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Υ.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5. 1011020

· ·

Watt

Topp

Trout

Those	voting	in	the	affirmative	were:
Annda	11			11:11	

Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Blaisdell	Lemke	Thatcher
Bridston	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Guthrie	Olson, Mountrail	
Absent and not vo	ting:	

Absent and not voti

Dahl Brant Braun Fowler

So the bill passed and the title was agreed to.

Senator Hill moved that the vote by which House Bill No. 362 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

Was read the second time.

Flatt

Fowler

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	n the affirmative we	re:
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Thorson

Lian

Magoffin

Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Absent and not	voting:	

Brant Braun Watt Bridston

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Aasen moved that the vote by which House Bill No. 250 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in th	e affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Thorson
Flatt	Lian	Topp
Fowler	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young

Absent and not voting:

Brant Bridston

So the bill passed and the title was agreed to.

Braun

Senator Hill moved that the vote by which House Bill No. 290 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Watt

The President announced that the Senate would be on the Eighth Order of Business.

SECOND READING OF CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

House Concurrent Resolution No. 400. A Concurrent Reso-

lution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of House Concurrent Resolution No. 399, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

17:11	0
	Owings
Holl	Raschko
Isaak	Skarvold
Kamrath	Streibel
Lavik	Stucke
Lemke	Thatcher
Leum	Thorson
Lian	Topp
Magoffin	Trout
Morrison	Troxel
Nelson, Grand Fks.	Tweten
Nelson, McKenzie	Whelan
Olson, McHenry	Wog
	Young
	Kamrath Lavik Lemke Leum Lian Magoffin Morrison Nelson, Grand Fks.

Absent and not voting:

Aandahl	Aandahl	Braun	Morgan
Brant	Greiser	Watt	

So the Concurrent Resolution was declared adopted.

Senator Lavik moved that the vote by which House Concurrent Resolution No. 399 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Fowler moved that action on House Bill No. 158 be deferred until Senator Watt is in the Senate Chamber, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Bridston	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Topp

THURSDAY, MARCH 2, 1939

Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	

Absent and not voting: Blaisdell Braun Watt Brant Raschko

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which House Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Trout moved that the Senate do now recess until 1:00 p. m., which motion prevailed.

And the Senate stood recessed pursuant to the motion of Senator Trout.

The Senate re-convened at 1:00 p.m. pursuant to recess taken.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Senate Bill No. 41. Senate Bill No. 55. Senate Bill No. 69. Senate Bill No. 86. Senate Bill No. 120. Senate Bill No. 121. Senate Bill No. 147. Senate Bill No. 150. Senate Bill No. 171. Senate Bill No. 172. Senate Bill No. 181. Senate Bill No. 182. Senate Bill No. 184. Senate Bill No. 193. Senate Bill No. 196. Senate Concurrent Resolution No. 185. Senate Bill No. 203. Senate Bill No. 234. Senate Bill No. 246. Senate Bill No. 247. Senate Bill No. 248. Senate Bill No. 256. Senate Bill No. 261. Senate Bill No. 262. And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President. Your Committee on Delayed Bills to whom was referred Senate Resolution E, introduced by Senator Thorson, have had the same under consideration and recommend that the same be approved for introduction.

H. G. GUENTHER, Chairman.

Senator Guenther moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Drew moved that the vote by which House Bill No. 362 was passed be reconsidered, which motion prevailed.

Senator Drew moved that House Bill No. 362 be amended as follows:

Line 16, page 2, and

Line 20, page 2, change the word "licensee" to "licensor", Which motion prevailed.

Senator Drew moved that the rules be suspended and that House Bill No. 362 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:AandahlGuentherOlson, MountraiAasenGuthrieOwingsBeatonHillRaschko
Beaton Hill Raschko
Bilden Holl Skarvold
Blank Lavik Streibel
Brant Lemke Stucke
Bridston Leum Thorson
Braun Lian Topp
Dahl Magoffin Trout
Drew Morgan Troxel
Flatt Morrison I'weten
Fredrickson Nelson, Grand Fks. Whelan
Gilbertson Nelson, McKenzie Wog
Greiser Olson, McHenry Young
Gronvold

Absent and not voting:

Blaisdell	Isaak	Thatcher
Fowler	Kamrath	Watt

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 362 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morrison moved that the vote by which House Bill No. 150 was indefinitely postponed be reconsidered.

Senator Morrison demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Morrison to reconsider the action by which House Bill No. 150 was indefinitely postponed, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 2.

the affirmative were:	
Lemke	Streibel
Morrison	Stucke
Nelson, McKenzie	Thatcher
Olson, McHenry	Thorson
Olson, Mountrail	Trout
	Troxel
Raschko	Tweten
Skarvold	Wog
	Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail Owings Raschko

Those voting in the negative were: Aandahl Flatt Aasen Fowler Fredrickson Beaton Blaisdell Gilbertson Guthrie Bridston Hill Braun Lavik Dahl Leum Drew

Lian Magoffin Morgan Nelson, Grand Fks. Topp Whelan Young

Absent and not voting were: Guenther Watt

So the motion of Senate Morrison prevailed.

Senator Morrison moved that House Bill No. 150 be placed on the calendar, which motion prevailed.

Senator Whelan moved that House Bill No. 150 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%)of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 19?9, and Ending June 30, 1941, Seventy-five Per Cent (75%)of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five Per Cent (25%) to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; 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, 23; nays, 24; absent and not voting, 2.

Those voting in	the affirmative were:	
Blank	Morrison	Stucke
Brant	Nelson, McKenzie	Thatcher
Greiser	Olson, McHenry	Thorson
Gronvold	Olson, Mountrail	Trout

Holl	Owings	Troxel
Isaak	Raschko	Tweten
Kamrath	Skarvold	Wog
Lemke	Streibel	

	the negative were:	
Aandahl	Drew	Leum
Aasen	Flatt	Lian
Beaton	Fowler	Magoffin
Bilden	Fredrickson	Morgan
Blaisdell	Gilbertson	Nelson, Grand Fks.
Bridston	Guthrie	Торр
Braun	Hill	Whelan
Dahl	Lavik	Young

Absent and not voting: Watt

So the bill lost.

Senator Whelan moved that the vote by which House Bill No. 150 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Fowler demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Whelan that the vote by which House Bill No. 150 was lost be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Flatt	Leum
Aasen	Fowler	Lian
Beaton	Fredrickson	Magoffin
Blaisdell	Gilbertson	Morgan
Bridston	Greiser	Nelson, Grand Fks.
Braun	Guthrie	Topp
Dahl	Hill	Whelan
Drew	Lavik	Young
Those voting	in the negative were:	
Dildon	Morrison	Stucko

Maniner	~
Morrison	Stucke
Nelson, McKenzie	Thatcher
Olson, McHenry	Thorson
Olson, Mountrail	Trout
Owings	Troxel
Raschko	Tweten
Skarvold	Wog
Streibel	-
	Olson, McHenry Olson, Mountrail Owings Raschko Skarvold

Absent and not voting:

Guenther Watt

So the motion of Senator Whelan prevailed.

MESSAGES FROM THE HOUSE

House of Representatives, Bismarck, March 2, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of

Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 31. 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.

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

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 Workmen's Compensation Bureau.

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the

.

Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring That in Selecting Proxies, the Same Shall Be Taken From the Precinct in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932 Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 36. 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.

And the Speaker has appointed as a conference committee

to act with a like committee from the Senate, Representatives:

W. H. Shure,

G. H. Lange,

J. H. McIntyre.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

MINNIE D. CRAIG, Chief Clerk.

Tweten Watt

Whelan

Young

Senator Morgan requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Morgan moved that the vote by which House Bill No. 287 was indefinitely postponed, be reconsidered.

Senator Morrison demanded a roll call, which was granted. Senator Fowler demanded a call of the Senate, which was granted.

Senator Whelan moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Morgan that the vote by which House Bill No. 287 was indefinitely postponed be reconsidered, the roll was called and there were ayes, 17; nays, 30; absent and not voting, 2.

Those voting in the affirmative were:

Those voting in th	e affirmative were:	
Beaton	Lemke	Olson, Mountrail
Brant	Lian	Skarvold
Greiser	Morgan	Thorson
Hill	Morrison	Trout
Isaak	Nelson, McKenzie	Wog
Kamrath	Olson, McHenry	
Those voting in the	he negative were:	
Aandahl	Fredrickson	Raschko
Aasen	Gilbertson	Streibel
Bilden	Gronvold	Stucke
Blaisdell	Guenther	Thatcher
Bridston	Guthrie	Topp
Braun	Lavik	Troxel

Leum

Magoffin

Owings

Nelson, Grand Fks.

Dahl

Drew

Flatt

Fowler

Absent and not voting: Blank Holl So the motion lost.

Senator Guthrie moved that the vote by which Senator Morgan's motion was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Dahl moved that the rules be suspended and Senate Bill No. 277 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 277. A Bill for an Act Making an Appro-priation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Greiser	Nelson, Grand Fks.
Aasen	Gronvold	Nelson, McKenzie
Beaton	Guenther	Olson, McHenry
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Raschko
Blaisdell	Holl	Skarvold
Brant	Isaak	Streibel
Bridston	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Lian	Troxel
Flatt	Magoffin	Whelan
Fowler	Morgan	Wog
Fredrickson	Morrison	Young
Gilbertson		
Those voting in	the negative were:	
Leum	Topp	Watt
Owings	Tweten	

Absent and not voting: Trout

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dahl moved that the vote by which Senate Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President announced that the Senate would return to the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Highways to whom was referred.

House Bill No. 279, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 40 insert a new paragraph without number, as follows:

"The registration fee for the year in which any vehicle covered by this Act was purchased new from the dealer shall be the basic fee as above determined. There shall be a reduction of 10 per cent of the basic fee each year thereafter for 4 years, and 5 per cent each year after 4 years. A minimum fee shall be \$3.00; Provided, however, that any car which has reached a fee basis of \$3.00 under the existing law shall not be raised from that fee."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

In the title after the word "of" and before the word "indemnifying" insert the words "testing animals for Bovine Tuberculosis and," in line 4 after the word "of" and before the word "indemnifying" insert the words "testing animals for Bovine Tuberculosis and."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Concurrent Resolution No. 365, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted.

Senator Owings made a substitute motion that House Concurrent Resolution No. 365 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 370, 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 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 and Requiring the Filing of Final Budgets and Annual Tax Levies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

Section 3684a3. PRELIMINARY BUDGET STATE-

MENT.) The council of each municipality shall make annually between July 1st and July 15th of each year on suitable blanks prescribed by the State Tax Commissioner an itemized statement (to be known as the Preliminary Budget Statement) of the amounts of money which, in the opinion of such council, shall be required for the proper main-tenance, expansion or improvement of the municipality during the fiscal year and such other information relating to the finances of the municipality as the State Tax Commissioner may require.

SECTION 2. FILING OF FINAL BUDGETS AND AN-NUAL TAX LEVIES.) As soon as the governing board of any municipality subject to the provisions of Article 17a of Chapter 44 of the Political Code of the Supplement to the Compiled Laws of North Dakota for 1913 and acts amendatory thereof and supplementary thereto shall have completed the final budget and shall have adopted the annual tax levy, the auditor or clerk of said municipality shall immediately thereafter send two certified copies of the levy as adopted and two certified copies of the final budget to the county auditor. As soon as the county auditor has available the data showing the total assessed valuation of said municipality, he shall proceed to calculate the necessary tax rates to produce the sums called for in said final budget; provided, however, that if the county auditor shall find that any amount or amounts called for in the levy cannot be produced by a tax rate which is within the limits prescribed by statute, said auditor shall reduce the amount so that it can be produced by a tax rate which is within legal limits; and said auditor shall at once notify the council of the reductions so made by him. As soon as the county auditor shall have calculated the necessary tax rates to produce the sums called for in the said final budget or such reduced amount or amounts which can be produced by a tax rate which is within legal limits, he shall transmit one copy of said annual tax levy and said final budget to the State Tax Commissioner.

And when so amended recommend the same do pass.

Senator Blaisdell moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Minerals to whom was referred House Bill No. 390, have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title after the word "Dakota", add the following: "four per cent (4%) of". In line 9 after the word "Dakota" add the words "four

per cent (4%) of".

And when so amended recommend the same do pass.

R. A. OWINGS, Chairman.

х.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 296, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 297, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 285, have had the same under consideration and recommend that the same be amended as follows:

1. Strike out the following language that was inserted by House amendment, to-wit: "provided, however, that no mileage on the present State Highway System shall be placed on the feeder road system without the consent of the Board of County Commissioners of the County in which the road lies".

2. At the end of Section 1 after the word "law," strike out the "period" and insert a "semi-colon" and the following language "provided, however, that in designating such system there shall be transferred from the present primary State Highway System approximately 2,000 miles which are low in standard of improvement and traffic service and which will be released from maintenance agreement or agreements with the Federal Government."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 302, have had the same under consideration and recommend that the same be amended as follows:

In Subsection (c) of Section 1, in line 35 after the word "engaged" insert the following: "in operating or controlling a motor vehicle engaged".

In Section 2, in line 9 after the word "farmers" insert the following: "engaged in operating or controlling a motor vehicle engaged".

In Section 3, in line 10 after the second word "farmers" insert the following: "operating or controlling a motor vehicle".

And when so amended recommend the same do pass. GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 346, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 38, have had the same under consideration and recommend that the same be amended as follows:

In the re-engrossed bill:

In line 3, strike out the figures "\$242,515.00" and insert in lieu thereof the figures "\$277,256.00." Strike out all of line 9 and all subsequent lines and insert

in lieu thereof the following:

LABORATORIES:

Chemist Director	5,400.00
Chemists—Foods	19,700.00
Chemists—Drugs	9,550.00
Chemists—Cosmetics	4,350.00
Chemists-Beverages	10,130.00
Chemists-Feeds and Fertilizers	9,600.00
Bacteriologists and Microscopists	7,800.00
Chemists-Paint and Varnish	7,450.00
Laboratory Assistants-Oil	44,190.00
Incidental Helpers	10,080.00
OFFICE:	20,000.00
Bookkeeper	3,600.00
Private Secretary	2,700.00
Clerk	2,430.00
3 Stenographers	6,750.00
2 Typists	3,840.00
FIELD:	5,640.00
Representative—Supervisory	5,250.00
Representative—Drugs	4,350.00
2 Representatives—Oil and Feed	6,900.00
6 Representatives—Foods and Sanitation	20,700.00
TRAVEL:	20,100.00
Mileage	21,000.00
Meals and Lodging	
GENERAL EXPENSES:	15,000.00
Samples	1,200.00
Rent	3,666.00
Telephone and Telegraph	600.00
Postage	7,000.00
Postage	1,800.00
Ice, Gas and Electricity	13,000.00
Freight, Dray and Express	13,000.00
Supplies, Equipment, Furniture and	19 000 00
Fixtures	12,600.00
Printing	12,000.00
Library	620.00
State Car and Miscellaneous Expense	4,000.00

TOTAL.....\$277,256.00

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Blaisdell moved that the report be adopted without reading and printed in the Journal, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 143, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 62, have had the same under consideration and recommend that the same do pass.

WM. WATT. Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 160, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 37, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which moton prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 265, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 377, have had the same under consideration and recommend that the same be amended as follows:

In section 8, line 2, after the word "Treasury" insert "in the Bee Fund."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President. A Majority of Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 388, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER FRED G. AANDAHL C. S. AASEN T. E. WHELAN G. F. DREW GUST WOG W. J. BRAUN M. R. YOUNG JAMES W. GUTHRIE

P. W. BLANK W. J. TROUT ED A. HILL M. J. RASCHKO

Mr. President. A Minority of Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 388, have had the same under consideration and recommend that the same do pass.

GUST TWETEN AXEL OLSON

Senator Fowler moved that the Report of the majority of the Committee on Taxes and Tax Laws on House Bill No. 388 be adopted.

Senator Olson of Mountrail made a substitute motion that the word "minority" be substituted for the word "majority." Senator Olson of Mountrail demanded a roll call, which

was granted.

ROLL CALL

The question being on the motion of Senator Olson of Mountrail that the word "minority" be substituted for the word "majority", the roll was called and there were ayes, 14; nays, 35; absent and not voting, 0.

Those voting in the affirmative were:

anobe totting in the		
Beaton	Olson, McHenry	Stucke
Isaak	Olson, Mountrail	Thatcher
Kamrath	Owings	Troxel
Morrison	Skarvold	Tweten
Nelson, McKenzie	Streibel	

Those voting in the negative were:

Aandahl	Fredrickson	Magoffin
Aasen	Gilbertson	Morgan
Bilden	Greiser	Nelson, Grand Fks.
Blank	Gronvold	Raschko
Blaisdell	Guenther	Thorson
Brant	Guthrie	Торр
Bridston	Hill	Trout
Braun	Holl	Watt
Dahl	Lavik	Whelan
Drew	Lemke	Wog
Flatt	Leum	Young
Fowler	Lian	

So the motion lost and the motion of Senator Fowler prevailed.

Senator Morrison: Mr. President, I want to explain my vote. I am voting "aye" on this bill because I think we have done nothing what-so-ever to raise money for the Old Age Pension, which 125,000 people voted for in North Dakota. I think our faction is the majority faction in North Dakota and I think we have to have a revenue raising measure to give the people what they have asked for and this bill is no doubt a vicious bill, and it is a bill that I would not want, but it is simply an emergency measure and we do know that it will do away with other forms of taxes. That is why I am voting "aye".

Senator Skarvold: Mr. President, I want to explain my vote. I find this proposed law is not what I like in every way, but they have defeated the net income tax, which is a fair tax, and having nothing whatever to offer in its place; and realizing that we need the money and need it badly for Old Age Pensions, I am going to vote "aye".

Senator Streibel: Mr. President, I wish to explain my vote. I vote "aye" on this bill to serve notice on this body that next time a real revenue measure comes up that they had better not throw it out of the window.

Senator Stucke: Mr. President, I wish to explain my vote. I vote "aye" on this bill—not because I believe it will solve our problems but there is a persistent demand for some new method of taxation. Furthermore, there has not been passed during this session, any tax measure that will in any way get for this state, enough money to take care of its usual expenses and the evident increase called for by Old Age Pensions and other problems.

Senator Tweten: Mr. President, I wish to explain my vote. I am voting "aye" on this bill. The Committee brought it in, not because we liked it, but for educational purposes, therefore, I vote "aye".

Senator Young: Mr. President, I wish to explain my vote. It is apparent to me that the same reactionary forces in the House who are supporting the chain store corporations in the East have drawn this bill. The final outcome would be that it would destroy all the independent merchants in North Dakota. Therefore, I vote "no".

Senator Drew: Mr. President, I wish to explain my vote. Assuming that a farmer's gross is \$10,000 and his net nothing, leaving his tax at \$50.00, for which he must go to jail if he is unable to pay it, I am wondering if some modification of the criminal laws might not be had to the end that if this farmer goes out and steals enough of his neighbors wheat to pay the \$50.00 he may not be guilty of any crime? Therefore, I vote "no."

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 2, 1939.

Mr. Speaker: I have the honor to return: House Bill No. 113. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Boards Administering Poor Relief to Give Equal Consideration to Legally Licensed Practitioners of Medicine, Osteopathy, Chiropractic, Dentistry, Optometry, and Any Other Legally Licensed Practitioner, in Treatment of Indigent Persons According to the Preference of Such Persons; Repealing Acts or Parts of Acts in Conflict Herewith and Declaring an Em-

ergency.

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%) of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Seventy-five Per Cent (75%) of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five **Per Cent (25%)** to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

Which the Senate has amended as follows:

In line 4, strike out the figures "\$119,000.00" and insert in lieu thereof the figures "\$105,300.00."

In line 29, strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$3,500.00."

In line 30, strike out the figures "\$55,000.00" and insert in lieu thereof the figures "\$30,000.00." Following line 30, insert a new line to read "Construction

Bond guarantee fund" and insert the figures "\$45,000.00."

In line 32, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00."

In line 35, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$7,000.00." Strike out all of lines 36, 37, 38 and 39.

In line 43, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$1,000.00."

In line 44, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$500.00."

In line 46, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

In line 47 strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,600.00."

In line 51, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$3,000.00."

In line 52, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$1,000.00." In line 55, strike out the figures "\$3,000.00" and insert in

lieu thereof the figures "\$1,000.00."

In line 59, strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$5,600.00."

In line 62, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,600.00."

In line 63, strike out the figures "\$119,000.00" and insert in lieu thereof the figures "\$105,300.00."

Renumber all lines in numerical order.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Which the Senate has amended as follows:

In line 18, strike out the word "members" and insert in lieu thereof the word "member's."

Strike out the last two words in line 23, "the rate" and the

first word in line 24 "of" and insert in lieu thereof "an amount equal to."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

Which the Senate has amended as follows:

In line 56, strike out the figure "75.00" and insert in lieu thereof "50.00."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Which the Senate has amended as follows:

In line 2 strike out the word "President" and insert in lieu thereof the word "Premier".

In line 24 strike out the word "President" and insert in lieu thereof the word "Premier".

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

House Bill No. 259. A Bill for an Act Amending Section

7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163al of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Which the Senate has amended as follows:

On page 678 of the Senate Journal:

Lines 13, 13a and 14, strike out the words "his property located within said County" and insert the words "the property described in said contract."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents. Which the Senate has amended as follows:

In lines 10 and 15 of the engrossed bill, change to read "6,000" to correspond with amendments made previously.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

Which the Senate has amended as follows:

In line 4 of the title, strike out the words "fruit juices" and in line 14, Section 1, strike out the words "sweet fruit juices or".

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

Which the Senate has amended as follows:

In line 5 of the title, as amended, change the words and figures "Fifteen Thousand (15,000)" to "Ten Thousand (10.000)."

WM. LOWE, Secretary,

Mr. Speaker: I have the honor to return:

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary Clerk Hire, and General Expenses of the State Historical Society.

House Bill No. 13. 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.

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the Department of Public Health.

Which the Senate has amended.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

House Bill No. 6. 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.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

House Bill No. 24. 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. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photography and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1933, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Sixty-five Per Cent of the Freeholders or Livestock Owners in Such Counties, and Declaring an Emergency.

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

Which the Senate has passed unchanged.

-WM. J. LOWE, Secretary.

Mr. Speaker. I have the honor to return:

House Bill No. 128. A Bill for an Act to Amend and Reenact 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; Relating to Relief for the Poor; Describing the Establishment of a County Relief Board by the Board of County Commissioners, Constituting the County Commissioners in the Respective Counties to Replace the County Welfare Board; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 312. A Bill for an Act to Amend and Reenact Section 2373 of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Appointment and Election of Officers Under the Provisions of the Military Code; Declaring an Emergency.

House Bill No. 234. A Bill for an Act to Amend and Reenact Section 3802, Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

House Bill No. 246. A Bill for an Act to Amend and Reenact Subdivision (5) of Section 4059 of the Compiled Laws of 1913, as Amended by Chapter 180 of the Session Laws of 1929, Relating to Elections and Powers of Park Commissioners; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 331. A Bill for an Act Imposing a Tax Upon Malt Beverages Not Taxed Under Initiated Beer Law of 1933, Providing for Reports by the Vendor, Prescribing Penalties and Providing That the Proceeds of Such Tax Shall Be Paid Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 198. A Bill for an Act Imposing a Tax Upon Theatre and Entertainment Tickets to be Applied to the Old Age Assistance Fund; to Provide for the Collection of Such Tax; Requiring Reports; Naming Exemptions; Establishing a Lien for the Payment of Such Tax; Fixing Fines and Penalties for Violations; Repealing Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 238. A Bill for an Act Prohibiting Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages and Beer, Outside the Limits of Any City or Village in the State of North Dakota, Prescribing A Penalty for the Violation Thereof.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

Mr. Speaker. I have the honor to return:

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Which the Senate has amended as follows:

In line 10, change the word "licensee" to the word "licensor". In line 32, change the word "licensee" to the word "licensor".

WM. J. LOWE, Secretary.

Senator Blaisdell moved that the Senate do now recess for twenty minutes, at the request of the Chair, which motion prevailed.

And the Senate stood recessed, pursuant to the motion of Senator Blaisdell.

The Senate re-convened at the expiration of the twenty minute recess.

The President announced that the Senate would be on the 8th Order of Business.

Senator Streibel moved that Senator Holl's explanation of vote on House Bill No. 388 be mimeographed in sufficient number for each Senator and the President, and that it not be printed in the Journal, which motion prevailed.

Senator Guenther moved that House Bill No. 45 be placed at the foot of the calendar, which motion prevailed.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 341, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

A. W. FOWLER T. E. WHELAN W. J. TROUT HENRY LEUM FRED G. AANDAHL AXEL OLSON P. W. BLANK M. J. RASCHKO GUST TWETEN C. S. AASEN M. R. YOUNG JAMES W. GUTHRIE ED. A. HILL GUST WOG

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler moved that House Bill No. 341 be made a special order of business for ten a. m. March 3rd, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 174, have had the same under consideration and recommend that the same be amended as follows:

In line 5 after the word "of" strike out "5%" and insert in lieu thereof "10%".

And when so amended recommend the same do pass.

JAMES W. GUTHRIE, Chairman.

Senator Guthrie moved that the report be adopted, which motion prevailed, and the report was adopted.

.Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 41, have had the same under consideration and recommend that the same be amended as follows:

In the re-engrossed bill:

In line 21 after the word "Act" strike out the "period" and insert a "comma", and add the following: "to each of the institutions hereinafter named out of the State Treasury as follows:

1.	State University	\$683,107.00
2.	State Agricultural College	\$386,971.40
3.	Agricultural College Experiment	
	Station	\$125,010.52
4.	Agricultural College Extension	
	Division	\$ 60,076.74
5.	School of Science	
6.	Valley City Normal	\$241,791.33
7.	Mayville Normal	\$139,685.00
8.	Minot Normal	\$229,048.00
9.	Dickinson Normal	\$158,969.00
10.		
	School	\$ 94,076.00
11.	School of Forestry	\$ 73,668.10

and out of the Institutional interest and income, tuition fees and collections the following sums to each of said institutions as follows:

1.	State University	\$248,870.00
2.	State Agricultural College	
3.	Agricultural College Experiment Station	
4.	Agricultural College Extension	
	Division	\$728,267.30
5.	School of Science	\$115,000.00
6.	Valley City Normal	
7.	Mayville Normal	
8.	Minot Normal	
9.	Dickinson Normal	
10.	Ellendale Normal and Industrial	
	School	\$ 40.000.00
4.4		

11. School of Forestry\$ 20,000.00 and in addition thereto there is hereby appropriated to each of the institutions hereinafter named all other incidental income, collections and fees that such institutions may collect and receive, and such incidental income, collections and fees, shall be used by each institution for such miscellaneous purposes as may be necessary for the maintenance and operation of the institution.

In line 37 strike out the figures "\$38,780.00" and insert in lieu thereof the figures "\$42,200.00"

In line 39 strike out the figures "\$28,650.00" and insert in lieu thereof the figures "\$29,800.00".

In line 57 strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$8,196.00".

In line 58 strike out the figures "\$36,380.00" and insert in lieu thereof the figures "\$41,482.00".

In line 59 strike out the figures "\$80,000.00" and insert in lieu thereof the figures "\$88,000.00".

In line 62 strike out the figures "\$26,000.00" and insert in lieu thereof the figures "\$32,502.00". In line 63 strike out the figures "\$861,677.00" and insert in lieu thereof the figures "\$888,547.00."

In line 65 strike out the figures "\$130,000.00" and insert in lieu thereof the figures "\$150,000.00".

In line 66 strike out the figures "\$14,000.00" and insert in lieu thereof the figures "\$16,870.00".

In line 68 strike out the figures "\$13,400.00" and insert in lieu thereof the figures "\$17,400.00"

In line 69 strike out the figures "\$222,000.00" and insert in lieu thereof the figures "\$248,870.00".

In line 78, strike out the figures "\$17,000.00" and insert in lieu thereof the figures "\$17,100.00."

In line 79, strike out the figures "\$18,000.00" and insert in lieu thereof the figures "\$21,500.00."

In line 81, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$6,500.00."

In line 84, strike out the figures "\$110,000.00" and insert in lieu thereof the figures "\$114,000.00."

In line 85, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$4,750.00."

In line 86, strike out the figures "\$63,000.00" and insert in lieu thereof the figures "\$66,100.00."

In line 87, strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$31,900.00."

In line 88, strike out the figures "\$35,788.00" and insert in lieu thereof the figures "\$38,000.00."

In line 89, strike out the figures "\$112,454.40" and insert in lieu thereof the figures "\$126,000.00."

In line 91, strike out the figures "\$14,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 92, strike out the figures "\$19,000.00" and insert in lieu thereof the figures "\$20,000.00."

In line 93, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$4,045.00."

In line 96, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,304.00."

In line 98, strike out the figures "\$13,000.00" and insert in lieu thereof the figures "\$12,300.00."

Following line 101 insert a new line to read "Placement-Personnel" and insert the figures "\$4,000.00."

In line 103, strike out the figures "\$21,000.00" and insert in lieu thereof the figures "\$20,000.00."

In line 105, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$7,700.00."

In line 106, strike out the figures "\$45,000.00" and insert in lieu thereof the figures "\$49,271.40."

In line 107, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$6,700.00."

Following line 109, insert a new line "Campus Police" and insert the figures "\$2,160.00."

Following the above line insert a new line to read "Student Help" and insert the figures "\$4,000.00."

Following the above line insert a new line to read "Girls' Dormitory" and insert the figures "\$10,970.68."

In line 110, strike out the figures "\$672,442.00" and insert in lieu thereof the figures "\$729,501.08."

In line 111, strike out the figures "\$369,000.00" and insert in lieu thereof the figures "\$434,370.68."

In line 112, strike out the figures "\$303,442.00" and insert in lieu thereof the figures "\$295,130.40.""

In line 114, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$6,000.00."

In line 117, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$3,000.00."

Strike out all of line 119.

In line 120, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 122, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$4,000.00."

In line 123, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$2,400.00."

In line 124, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,500.00."

Following line 124, insert a new line "Geology" and insert the figures "\$700.00."

In line 125, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$1,100.00."

In line 126, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,500.00."

In line 127, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$491.00."

In line 128, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$7,500.00."

In line 130, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$10,000.00."

In line 131, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$2,000.00."

Strike out all of line 132.

In line 134, strike out the figures "\$23,000.00" and insert in lieu thereof the figures "\$25,200.00."

Following line 136, insert a new line to read "Special assessment for Water Main" and insert the figures "\$3,000.00."

In line 137, strike out the figures "\$389,271.40" and insert in lieu thereof the figures "\$386,971.40."

In line 142, strike out the figures "\$143,925.17" and insert in lieu thereof the figures "\$164,134.42."

In line 143, strike out the figures "\$93,975.48" and insert in lieu thereof the figures "\$119,122.90."

In line 147, strike out the figures "\$253,900.65" and insert in lieu thereof the figures "\$299,257.32."

In line 148, strike out the figures "\$243,182.58" and insert in lieu thereof the figures "\$293,351.52."

In line 149, strike out the figures "\$10,718.07" and insert in lieu thereof the figures "\$5,905.80."

In line 151, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 158, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$5,000.00."

In line 159, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$2,000.00."

In line 160, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$1,900.00."

In line 161, strike out the figures "\$150.00" and insert in lieu thereof the figures "\$1,150.00."

In line 163, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$700.00."

In line 164, strike out the figures "\$1,100.00" and insert in lieu thereof the figures "\$5,100.00."

Following line 164 insert the following lines:	
Special Economic Investigation in Marketing	6,000.00
Scientific Supplies	7,000.00
Feed Stuffs Experimental animals	3,933.60
Furniture	500.00
Scientific Equipment	8,162.12
In line 165, strike out the figures "\$63,468.07"	and insert

in lieu thereof the figures "\$99,510.52."

In line 172, strike out the figures "\$88,968.07" and insert in lieu thereof the figures "\$125,010.52."

In line 176, strike out the figures "\$420,324.18" and insert in lieu thereof the figures "\$443,571.38."

In line 177, strike out the figures "\$97,592.66" and insert in lieu thereof the figures "\$93,833.32."

In line 178, strike out the figures "\$51,095.86" and insert in lieu thereof the figures "\$50,550.00."

In line 179, strike out the figures "\$45,320.00" and insert in lieu thereof the figures "\$42,640.00."

In line 180, strike out the figures "\$46,090.00" and insert in lieu thereof the figures "\$75,020.00."

In line 181, strike out the figures "\$32,537.64" and insert in lieu thereof the figures "\$31,807.34."

In line 182, strike out the figures "\$21,306.96" and insert in lieu thereof the figures "\$21,262.00."

Following line 182 insert a new line to read "Neighborhood Activities in County Districts" and insert the figures "\$2,150.00."

Following the above line insert a new line to read "Rural Young People" and insert the figures "\$8,470.00."

In line 183 strike out the figure "\$2,520.00" and insert in lieu thereof the figure \$5,040.00".

In line 186 strike out the figure "\$730,787.30" and insert in lieu thereof the figure "\$788,344.04".

In line 188 strike out the figure "\$485,567.30" and insert in lieu thereof the figure \$483,067.30".

In line 192 strike out the figure "\$730,787.30" and insert in lieu thereof the figure "\$728,267.30".

Following line 192 insert a new line to read "NET MAIN-TENANCE" and insert the figure "\$60,076.74". In line 237 strike out the figure "\$30,000.00" and insert in lieu thereof the figure "\$33,200.00".

In line 241 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$6,426.33"

In line 253 strike out the figure "\$290,815.00" and insert in lieu thereof the figure "\$295,441.33"

In line 255 strike out the figure "\$210,815.00" and insert in lieu thereof the figure "\$215,441.33"

In line 272 strike out the figure "\$237,165.00" and insert in lieu thereof the figure "\$241,791.33".

In line 275 strike out the figure "\$11,052.00" and insert in lieu thereof the figure "\$13,982.00".

In line 276 strike out the figure "\$98,840.00" and insert in lieu thereof the figure "\$99,747.00".

In line 283 strike out the figure "\$2,400.00" and insert in lieu thereof the figure "\$2,900.00".

In line 292 strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 293 strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 299 strike out the figure "\$165,448.00" and insert in lieu thereof the figure "\$170,785.00".

In line 301 strike out the figure "\$117,948.00" and insert in lieu thereof the figure "\$123,285.00".

Following line 319 insert a new line to read "Items not Budgeted" and insert the figure "\$200.00".

In line 320 strike out the figure "\$134,148.00" and insert in lieu thereof the figure "\$139,685.00".

In line 323 strike out the figure "\$17,383.00" and insert in lieu thereof the figure "\$19,000.00".

In line 325 strike out the figure "\$35,048.00" and insert in lieu thereof the figure "\$36,048.00".

In line 331 strike out the figure "\$1,150.00" and insert in lieu thereof the figure "\$1,400.00".

In line 338 strike out the figure "\$400.00" and insert in lieu thereof the figure "\$800.00".

Strike out all of line 339.

In line 346 strike out the figure \$276,931.00" and insert in lieu thereof the figure "\$279,798.00".

In line 349 strike out the figure "\$206,931.00" and insert in lieu thereof the figure "\$209,798.00".

In line 370 strike out the figure "\$226,181.00" and insert in lieu thereof the figure "\$229,048.00".

In line 420 strike out the figure "\$3,600.00" and insert in lieu thereof the figure "\$5,000.00".

In line 438 strike out the figure "\$117,926.00" and insert in lieu thereof the figure "\$119,326.00".

In line 440 strike out the figure "\$77,926.00" and insert in lieu thereof the figure "\$79,326.00".

In line 457 strike out the figure "\$92,676.00" and insert in lieu thereof the figure "\$94,076.00".

In line 464 strike out the figure "\$3,000.00" and insert in lieu thereof the figure "\$3,500.00".

In line 465 strike out the figure "\$1,200.00" and insert in lieu thereof the figure "\$1,400.00".

In line 475 strike out the figure "\$200.00" and insert in lieu thereof the figure "\$350.00".

In line 477 strike out the figure "\$15,000.00" and insert in lieu thereof the figure "\$21,000.00".

In line 479 strike out the figure "\$500.00" and insert in lieu thereof the figure "\$850.00".

In line 480 strike out the figure "\$80,168.10" and insert in lieu thereof the figure "\$87,368.10".

In line 481 strike out the figure "\$14,000.00" and insert in lieu thereof the figure "\$20,000.00".

In line 482 strike out the figure "\$66,168.10" and insert in lieu thereof the figure "\$67,368.10".

In line 498 strike out the figure \$72,468.10" and insert in lieu thereof the figure "\$73,668.10".

Renumber all lines in numerical order.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted without reading and printed in the Journal, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 354, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Wog moved that House Bill No. 354 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

A. W. FOWLER, Chairman.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler moved that House Bill No. 249 be placed on the calendar, which motion prevailed.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 311 made the following report:

Mr. President: Your Conference Committee on House Bill No. 311 have had the same under consideration and recommend that the House Conference Committee do concur with the Senate Amendments to House Bill No. 311.

For the House:
C. P. Ritter
R. T. Gray
Jos. D. Byrne

Senator Gronvold moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Gronvold moved that the Conference Committee be discharged, which motion prevailed.

The Conference Committee on House Bill No. 385 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 385, have had the same under consideration and recommend that the House accept Senate amendment in line 2 of the printed bill, which is as follows: "paid by counties for care of patients at the State Hospital, which is now."

The Senate recedes from its amendment to line 3 of the printed bill, thus fixing the amount to be appropriated at \$115,500.00.

For the Senate:

For the House: J. M. Anderson

Wm. Watt

Herman Thorson James W. Guthrie. Henry Williams B. Anderson (McKenzie).

Senator Watt moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Guthrie moved that the Conference Committee be discharged, which motion prevailed.

MESSAGE FROM THE HOUSE House of Representatives,

Bismarck, March 2, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Which the House has amended as follows:

In the second line of the title of the bill after the words "Section 6" insert a comma (,), and strike out the word "and."

In the second line of the title of the bill after the words "Section 8" add the following words "and Section 9."

In Section 3, page 10, line 212, strike out the words "twothirds" and insert in lieu thereof, "three-fourth."

In Section 3, page 10, line 215, strike out the words "twothirds" and insert in lieu thereof the words "three-fourths."

After Section 3, in the printed bill, add a new Section called

Section 4, which will read as follows: "Section 4. Amendment.) That Section 9 of Chapter 9 of the Session Laws of 1937 is hereby amended and re-enacted to read as follows:

Section 9: Enforcement of Land-Use Regulations. The supervisors shall have authority to go upon any land within the District to determine whether land-use regulations adopted under the provisions of Section 8 of this Act are being observed."

Re-number Section 4 in the printed bill, Number 5, and re-number the lines in Section 4 and Section 5 accordingly.

"Amendments found on page 1028 of the House Journal."

MINNIE D. CRAIG, Chief Clerk.

Senator Guthrie moved that the Senate do concur in the House amendments to Senate Bill No. 89, which motion prevailed.

Senator Guthrie moved that the rules be suspended and Senate Bill No. 89 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Rilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting: Gilbertson Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 2, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 2, 1939.

Mr. President: I have the honor to return: Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway De-partment of the State of North Dakota to Pay for Equip-ment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

Which the House has amended as follows:

Section 1, line 3, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$25,567.00."

Amendments found on page 1112 of the House Journal.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 232, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 232 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

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, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Guenther	Raschko
Blank	Guthrie	Skarvold
Blaisdell	Hill	Stucke
Bridston	Lavik	Thatcher
Braun	Lian	Thorson
Flatt	Morgan	Whelan
Fredrickson	Olson, Mountrail	Young
Greiser		

Those voting in	the negative were:	
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Holl	Olson, McHenry
Bilden	Isaak	Owings
Brant	Kamrath	Streibel
Dahl	Lemke	Topp
Drew	Leum	Troxel
Fowler	Magoffin	Tweten
Gilbertson	Nelson, Grand Fks.	Wog
Absent and not		9
Morrison	Trout	Watt

So the bill lost.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 2, 1939.

Mr. Speaker. I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Concurrent Resolution 135 made the following report:

Mr. Speaker. Your Conference Committee to whom was referred Senate Concurrent Resolution No. 135, have had the same under consideration and recommend:

In lines 25-27 and 40, strike out the word "majority" and in lieu thereof, insert the words "Fifty-five Percent".

For the Senate:	For the House:	
J. C. Blaisdell, Jr.	Calvin Schimke	
Gust Wog	L. K. Morland	
	John A. Schmidt	

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Blaisdell moved that the Conference Committee on Senate Concurrent Resolution No. 135 be discharged, which motion prevailed.

Senator Aandahl moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 36.

And the President appointed as such committee:

Senators Aandahl, Nelson of Grand Forks and Kamrath.

Senator Blaisdell moved that the rules be suspended and Senate Concurrent Resolution No. 135 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS Senate Concurrent Resolution No. 135. A Concurrent **Resolution** Providing for the Amendment of Sections 167, 170. 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Concurrent Resolution No. 135, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Absent and not voting:

Thorson Watt

So the Concurrent Resolution was adopted.

Senator Nelson of Grand Forks requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Nelson moved that the action by which Senate Bill No. 232 was lost be reconsidered, which motion prevailed.

Senator Nelson moved that Senate Bill No. 232 be placed on Second reading and final passage, which motion prevailed.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

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, 27; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Morgan
Nelson, Grand Fks.
Olson, Mountrail
Raschko
Stucke
Thatcher
Thorson
Whelan
Young

the negative were:	
Leum	Streibel
Magoffin	Topp
Nelson, McKenzie	Trout
	Troxel
	Tweten
	Wog
	Leum

And States and

Absent and not voting:

Bilden Morrison Watt

So the bill passed and the title was agreed to.

Senator Nelson of Grand Forks moved that the vote by which Senate Bill No. 232 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President announced that the Senate would be on the Eighth Order of Business.

First Reading of Senate Resolution.

Senator Thorson introduced:

Senate Resolution "E". A Resolution Memorializing Congress to Take Steps to Check Mortgage Foreclosures on the Part of Federal Agencies.

Was read the first time.

Senator Thorson moved that the rules be suspended and Senate Resolution "E" be adopted, which motion prevailed.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed.

And the Senate stood adjourned.

WM. J. LOWE, Secretary.

FIFTY-NINTH DAY

The Senate convened at 2:00 P. M., with Senator Thorson presiding.

Prayer by the Chaplain, Adj. Walter Millar.

Roll Call: All Senators present except Senator Watt.

Mr. President. Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Seventh Day after Recess and Fifty-Eighth Day and recommends that the same be corrected as follows:

In lines 18 and 19, change the word "House" to "Senate".

And when so corrected recommends that the same be approved.

ROB. GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The President announced receipt of a communication from the Resolution Committee of the Farmers Union Local No. 400, Buford, N. D., recommending passage of the Gross Income Tax Bill, which was referred to the Committee on Taxes and Tax Laws.

Also a communication from the business men of Bismarck, N. D., requesting all aid possible for irrigation, which was referred to the Committee on Appropriations.

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Senator Holl presented a telegram from Marvin O. Sanders; Geo. Bjornson, Phil L. Quale; W. J. Carter; Joe Viall and E. O. Brunsvold requesting that their names be taken from a petition in regard to House Bill No. 354.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Introduced by Senator Guthrie

Senate Concurrent Resolution No. 286. A concurrent resolution relating to the distribution of money obtained from the sale of public lands and from royalties on minerals contained therein.

Was read the first time and referred to the Committee on Federal Relations.

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

Was read the first time.

Senator Whelan moved the rules be suspended and House Concurrent Resolution No. 397 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 2, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a14, 8247a15, 8247a16, 8247a12, 8247a13, 8247a17, 8247a19, 8247a18, 8247a20, 8247a21a, 8247a23. 8247a24. 8247a26, 8247a51, 8247a52, 8247a53, 8247a47, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators: Aandahl, Nelson of Grand Forks, Kamrath, relative to:

House Bill No. 36. 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.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 40. 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 President has appointed as a conference commit-

tee to act with a like committee from the House, Senators: Fowler, Guthrie, and Thatcher.

WM. J. LOWE, Secretary.

The President resumed the Chair.

SECOND READING OF HOUSE BILLS

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Owings
Beaton	Guthrie	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher
Brant	Lavik	Thorson
Braun	Lemke	Topp
Danl	Leum	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Wog
Fredrickson	Nelson, Grand Fks.	Young
Gilbertson	Nelson, McKenzie	
Those voting in the	negative were:	
11:11	Ctuaibal	Whalam

Hill	Streibel	Whelan
Olson, Mountrail		
Abcont and not	noting	

Absent and not	voung.	
Bridston	Lian	Watt
Greiser		

So the bill passed and the title was agreed to.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing 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, 38; nays, 7; absent and not voting, 4.

Those voting	in the affirmative were:	
Beaton	Holl	Owings
Bilden	Icoak	Reschko

Bilden	Isaak	Raschko
Blank	Kamrath	Skarvold
Blaisdell	Lemke	Streibel
Bridston	Leum	Stucke
Drew	Lian	Thatcher

Flatt	Magoffin	Thorson
Fowler	Morgan	Trout
Fredrickson	Morrison	Troxel
Greiser	Nelson, McKenzie	Tweten
Guenther	Nelson, Grand Fks.	Whelan
Guthrie	Olson, McHenry	Wog
Hill	Olson, Mountrail	
Those voting in the	negative were:	
Aasen	Gronvold	Topp
Dahl	Lavik	Young
Gilbertson		
Absent and not vot	ing:	
Aandahl	Braun	Watt

So the bill passed and the title was agreed to and the Emergency clause was declared carried.

Senator Thatcher moved that the vote by which House Bill 359 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 2, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 296. A Bill for an Act to Amend Subdivision (b) of Section 25 of Chapter 179 of the Session Laws of 1927, as Amended by Chapter 186 of the Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, as Amended by Chapter 180 of the Session Laws of 1935, by Adding Thereto a Proviso Increasing the Registration Fees for Trucks Propelled by Diesel Engines by Thirty-five Per Cent Over the Registration Fees for Trucks Not so Propelled; and Declaring an Emergency.

House Bill No. 297. A Bill for an Act to Require That for Any Motor Vehicle, or Any Combination of Vehicles Operated as One Unit, Propelled by a Diesel Engine, the Registration Fee Shall Be Seventy-five Per Cent More Than for Any Motor Vehicle or Any Combination of Vehicles Operated as One Unit Not So Propelled; and Declaring an Emergency.

House Bill No. 346. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State, County and Municipal Officers and Employees and Providing for Deduction of Salary and Pay.

Which the Senate has indefinitely postponed. WM. J. LOWE, Secretary.

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

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Brant

Senator Blaisdell moved that House Bills No. 33, 149, 307, 151, 9, 58 and 163 be placed at the head of the calendar, which motion prevailed.

Senator Blaisdell moved that House Bill No. 45 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aasen	Holl	Owings
Reaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blank	Lavik	Streibel
Blaisdell	Lemke	Stucke
Dahl	Leum	Thatcher
Drew	Lian	Thorson
Fowler	Magoffin	Topp
Fredrickson	Morgan	Trout
Gilbertson	Morrison	Troxel
Greiser	Nelson, Grand Fks.	Tweten
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie Hill	Olson, Mountrail	Young

Absent and not voting:

Aandahl	Bridston	Flatt
Brant	Braun	Watt

So the bill passed and the title was agreed to.

Senator Dahl moved that the vote by which House Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game and Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund 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, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in th	ne affirmative were:	
Aasen	Kamrath	Raschko
Beaton	Lavik	Skarvold
Bilden	Lemke	Streibel
Blaisdell	Leum	Stucke
Drew	Lian	Thatcher
Fredrickson	Magoffin	Thorson
Gilbertson	Morgan	Topp
Greiser	Morrison	Trout
Gronvold	Nelson, Grand Fks.	Troxel
Guenther	Nelson, McKenzie	Tweten
Guthrie	Olson, McHenry	Whelan
Hill	Olson, Mountrail	Wog
Holl	Owings	Young
Isaak		

Absent and not voting:

Aandahl	Bridston	Flatt
Blank	Braun	Fowler
Brant	Dahl	Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Aandahl moved that the vote by which House Bill No. 149 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

the affirmative were:	
Isaak	Raschko
Kamrath	Skarvold
Lavik	Streibel
Lemke	Stucke
Leum	Thatcher
Lian	Thorson
Magoffin	Topp
	Kamrath Lavik Lemke Leum Lian

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Fredrickson	Morgan	Trout
Greiser	Morrison	Troxel
Gronvold	Nelson, Grand Fks.	Tweten
Guenther	Nelson, McKenzie	Whelan
Guthrie	Olson, McHenry	Wog
Hill	Olson, Mountrail	Young
Holl	Owings	

Absent and no Blank	ot voting were: Braun	Gilbertson
Brant	Flatt	Watt
Bridston	Fowler	

So the bill passed and the title was agreed to.

Senator Stucke moved that the vote by which House Bill No. 307 was passed be reconsidered, which motion prevailed.

Senator Stucke moved that House Bill No. 307 be amended as follows:

Strike out the amendment of the report of the Committee on Mines and Mining, which motion prevailed.

Senator Stucke moved that the rules be suspended and that House Bill No. 307 be placed on second reading and final passage, as amended, which motion prevailed.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Those voting in	the allimative were.	
Aandahl	Hill	Olson, Mountrail
Aasen	Holl	Owings
Beaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Dahl	Lemke	Stucke
Drew	Leum	Thatcher
Flatt	Lian	Thorson
Fowler	Magoffin	Topp
Fredrickson	Morgan	Trout
Greiser	Morrison	Troxel
Gronvold	Nelson, Grand Fks.	Whelan
Guenther	Olson, McHenry	Young
Guthrie		

Those voting in the	e negative were:	A
Blank	Braun	Tweten
Brant	Gilbertson	Watt
Bridston	Nelson, McKenzie	Wog

So the bill passed and the title was agreed to.

Senator Aasen moved that the vote by which House Bill No. 307 was passed be reconsidered and the motion to reconsider be placed on the table.

Which motion prevailed.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provisions of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Braun	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Thorson
Flatt	Lian	Topp
Fowler	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Whelan
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Absent and not	voting.	

Absent and not voting: Blank Bridston Watt Brant

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Young moved that the vote by which House Bill No. 151 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nelson of McKenzie moved that House Bill No. 9 be amended as follows:

On page 1, line 3, change the figures "15,115.00" to "17,-615.00."

On page 2, strike out line 20, and insert a new line 20 to read as follows:

"North Roosevelt Park in McKenzie County-\$2,500.00 and change the total amount to read "\$17,615.00."

Senator Fowler raised the point of constitutionality of these amendments and in view of the fact that there was a question as to the constitutionality of the same, Senator Nelson of Mc-Kenzie withdrew the amendments offered.

House Bill No. 9. 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Gronvold	Owings
Aasen	Guenther	Raschko
Beaton	Holl	Skarvold
Bilden	Isaak	Streibel
Blank	Kamrath	Stucke
Blaisdell	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Greiser	Olson, McHenry	

Those voting in the negative were: Hill Olson, Mountrail

Absent and not voting:

Brant

Watt

Guthrie So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which House Bill No. 9 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Guthrie	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fowler	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Those voting in the negative were: Hill

Absent and not voting: Blaisdell Greiser Brant

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Watt

Senator Braun moved that the vote by which House Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting: Brant Watt

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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which House Bill No. 163 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 3. A Bill for an Act Making an Appropriation for the 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, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in	the affirmative were:		
Aandahl	Guthrie	Olson, Mountrail	
Aasen	Hill	Owings	
Beaton	Holl	Raschko	
Bilden	Isaak	Skarvold	
Blank	Kamrath	Streibel	
Blaisdell	Lavik	Stucke	
Bridston	Lemke	Thatcher	
Braun	Leum	Thorson	
Dahl	Lian	Торр	
Drew	Magoffin	Trout	
Flatt	Morgan	Troxel	
Fowler	Morrison	Tweten	
Gilbertson	Nelson, Grand Fks.	Whelan	
Greiser	Nelson, McKenzie	Wog	
Gronvold	Olson, McHenry	Young	
Guenther	and a second second second		

Absent and not voting:

Brant

Watt

So the bill passed and the title was agreed to.

Fredrickson

Senator Beaton moved that the vote by which House Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Inose voung in	the attimative	were.	
Aandahl	Gronvold		Olson, McHenry
Aasen	Guenther		Olson, Mountrail
Beaton	Guthrie		Owings
Bilden	Hill		Raschko
Blank	Holl		Skarvold
Blaisdell	Isaak		Streibel
Brant	Kamrath	1	Stucke

Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Troxel
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	•

Absent and not voting: Trout Watt

So the bill passed and the title was agreed to.

Senator Blank 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.

Senator Blaisdell moved that the Senate be on the Thirteenth Order of Business, and that on the completion of the Second Reading of House Bills, without roll calls, the Senate recess until 10:00 A. M., March 3, which motion prevailed.

And the Senate stood recessed, pursuant to the motion of Senator Blaisdell

WM. J. LOWE, Secretary.

FIFTY-NINTH DAY AFTER RECESS AND SIXTIETH DAY

Bismarck, March 3, 1939.

The Senate re-convened at 10:00 A. M., pursuant to recess taken March 2nd, with the President presiding.

The President announced that the Senate would be on the-8th Order of Business.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Dismarck, March

Mr. Speaker: I have the honor to return:

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 265. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and the North Dakota Durum Wheat Show at Langdon, N. Dak.; Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

House Bill No. 388. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in any Business, Trade, Profession, Occupation or Calling, to be Measured by Gross Income, to Provide That This Tax Shall be a Replacement Tax to the Extent Herein Specifeid, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions From the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 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; Validating Proceeding and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

Which the Senate has amended as follows:

In Section 7, line 14, after the word "payment" strike out the balance of the line and lines 15 to 25 inclusive.

In sub-division 4 of Section 21, page 36 of the printed bill, strike out lines 83, 84 and 85 and insert in lieu thereof the following words:

"Provided further that for the biennial period ending June 30, 1941, the Commission shall not thus pledge, hypothecate or place under trust indenture, or agree to pledge, hypothecate or to place under trust indenture, an aggregate amount in excess of forty-five thousand dollars and provided further that any agreement to thus pledge, hypothecate, or place under trust indenture any amount in excess of forty-five thousand dollars shall be, and is hereby declared null and void, provided, however, that the appropriation or use of said \$45,000 shall not be construed to be the pledging of the credit of the State of North Dakota nor the guaranteeing of any bonds issued hereunder.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

Which the Senate has amended as follows:

In line 5, Section 2 after word "surgeon" insert words "osteopaths and chiropractors."

In line 2, Section 4 after word "Surgeon" insert the words "osteopaths and chiropractors."

WM. J. LOWE, Secretary.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Was read the first time.

Senator Fowler moved that the rules be suspended and House Concurrent Resolution No. 408 be adopted.

Senator Morgan made a substitute motion that House Concurrent Resolution No. 408 be referred to the Committee on State Affairs, which motion prevailed.

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

Was read the first time.

Senator Stucke moved that the rules be suspended and House Concurrent Resolution No. 398 be adopted, which motion prevailed.

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

Was read the first time.

Senator Thatcher moved that the rules be suspended and House Concurrent Resolution No. 402 be adopted, which motion prevailed.

House Concurrent Resolution No. 406. Providing for employment and compensation to complete final record of all bills of the 26th Legislative Session.

Was read the first time.

Sentor Morrison moved that the rules be suspended and House Concurrent Resolution No. 406 be placed on Second Reading and Final Passage, which motion prevailed.

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SECOND READING OF CONCURRENT RESOLUTIONS House Concurrent Resolution No. 406. Providing for em-

ployment and compensation to complete final record of all bills of the 26th Legislative Session.

Was read the second time.

ROLL CALL

The question being on the final passage of Concurrent Resolution No. 406, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were: Aandahl Guenther Olson, McHenry Aasen Guthrie Owings Beaton Hill Raschko Bilden Holl Skarvold Isaak Streibel Blank Blaisdell Kamrath Stucke Brant Lavik Thatcher Braun Lemke Thorson Topp Dahl Leum Trout Lian Drew Troxel Flatt Magoffin Fowler Morgan Tweten Whelan Fredrickson Morrison Gilbertson Nelson, Grand Fks. Wog Greiser Nelson, McKenzie Young Gronvold

Absent and not voting were:

Bridston

Olson, Mountrail Watt

So the Concurrent Resolution was declared adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to complete and Index Senate and House Journals of the Last Days of Session and Providing Compensation Therefor.

House Concurrent Resolution No. 405. Providing for contin-

ued employment and compensation thereof to complete records of present legislative session.

House Concurrent Resolution No. 406. Providing for employment and compensation to complete final record of all bills of the 26th Legislative Session.

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Section Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937. Which is an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

Senate Bill No. 205. A Blil for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

Senate Bill No. 265. A Bill for an Act Providing That the Emergency Commission Created and Established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota Shall Pass Upon All Expenditures From the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 Relating to the Deduction of Delinquent Personal Property Taxes From Salaries or Cther 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 179. A Bill for an Act Licensing the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards; Providing for Certain License Fees and for Certain Taxes Thereon; for the Disposition of Monies Obtained Thereunder; Prohibiting the Sale and Use of Punch Boards, Tip Boards, Tip Jars, Pull Boards and Push Boards Not Duly Stamped; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; Providing for a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Reenact 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 Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 109. A Bill for an Act Providing for the Appointment of a Commission to Examine the Accounting Systems of State Departments and Institutions, and of Local Sub-divisions; Providing for the Establishment of Uniform Systems of Accounting, and Providing a Penalty for Violation; Providing for Biennial Examinations of the Affairs of State Departments and Institutions; Providing an Appropriation; and Repealing Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 32. A Bill for an Act to Amend Section

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396a8 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 315 of the Session Laws for 1931, Relating to Premiums Due the Workmen's Compensation Bureau.

Senate Bill No. 146. A Bill for an Act Empowering the Governing Board of Cities and Villages to Provide for the Lighting of All Streets, Avenues, Alleys, Sidewalks, Wharves, Parks and Public Grounds, and for the Furnishing and Supplying of Electric Energy or Gas to the City or Village for Lighting, Power, and Other Municipal Purposes, and to the Inhabitants Thereof, and to Enter Into Contracts for Electric Energy or Gas for Municipal and Private Purposes, and Specifying the Manner of Execution of Such Contracts, and Repealing Chapter 173, of the Session Laws of North Dakota for 1929.

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal, and Providing Penalty.

Senate Bill No. 127. A Bill for an Act to Amend and Reenact Chapter 216, Session Laws 1923, Constituting Section 950a2 of the 1925 Supplement; and Providing for the Division and Consolidation of Voting Districts.

Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Senate Bill No. 257. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 145. A Bill for an Act Providing for the Renewal of Mechanic's Liens and for the Cancellation and Discharge Thereof Unless Renewed Within Six Years From the Date of Filing.

Senate Bill No. 143. A Bill for an Act to Provide That Judgments or Liens Not Renewed Within Ten Years From Date of Docketing, Shall be Discharged and Satisfied of Record.

Senate Bill No. 71. A Bill for an Act to Amend and Reenact Section 4 of Chapter 249 of the Session Laws of 1937, Providing for Certain Credits and Exemptions and Providing for Payment of a Sales Tax on Sales of Motor Vehicle Fuels Upon Which Refunds of Special Taxes are Allowed, and Declaring an Emergency.

Senate Bill No. 235. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fiftyone 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.

Senate Bill No. 186. A Bill for an Act Providing the Maximum Salary or Compensation Which May Be Paid to or Received by Any Member, Appointee or Employee of Any Board, Bureau, Commission or Department of the State of North Dakota and Providing Penalties for Violation of This Act.

Senate Bill No. 136. A Bill for an Act to Encourage and Permit the Propagation of Domestic Game Birds by Private Enterprise in the State of North Dakota; Declaring an Emergency.

Senate Bill No. 278. A Bill for an Act Relating to the Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 105. A Bill for an Act Amending and Reenacting Section 5063 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 165 of the Session Laws of North Dakota for the Year 1931, Relating to the Regulation and Control of the Payment of Death Benefits by Fraternal Benefit Societies; Declaring an Emergency.

Senate Bill No. 236. A Bill for an Act to Amend and Reenact Section 3 of Chapter 255 of the Session Laws of 1937, Relating to the Creation of State Water Conservation Commission.

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Paragraph (c) of Section 7, Chapter 164 of the Session Laws of 1919, the Same Being Paragraph (c) of Section 4881a7 of 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Mutual Insurance Companies.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 218. A Bill for an Act to Amend and Reenact Section 9, of Chapter 311 of the Session Laws for the Year 1931, as Amended and Re-enacted by Chapter 269, of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Senate Bill No. 263. A Bill for an Act to Amend and Reenact Section 7412 of the Compiled Laws of 1913, Relating to Power of Court, Interpleader, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Relating to the Furnishing of Certified Checks or Bidder's Bonds by Contractors Submitting Proposals for the Construction of Public Improvements; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Sections Six (6) and Seven (7), of Chapter 255, of the Session Laws of 1937, Relating to the State Water Conservation Commission.

Senate Bill No. 216. A Bill for an Act to Amend and Reenact Chapter 284, of the 1927 Session Laws of the State of North Dakota, Providing for the Investment of Monies in the Workmen's Compensation Fund, and Making an Appropriation for Such Investments.

Senate Bill No. 102. A Bill for an Act Granting Certain Powers and Imposing Certain Duties Heretofore Delegated to the Board of Administration, in Connection With Child Welfare Laws of This State, to the Public Welfare Board of North Dakota, Division of Child Welfare; Providing for Cooperation With the Federal Government in Carrying Out Child Welfare Services and Services to Crippled Children and to Receive and Disburse Federal Funds Granted for Such Purposes; Repealing Chapter 150 of the Session Laws of 1923, Being Sections 283b6 and 283b7 of the 1925 Supplement to the 1913 Codes; and Declaring an Emergency.

Senate Bill No. 93. A Bill for an Act to Prohibit the Use of Certain Properties of the State of North Dakota and Its Political Sub-divisions in the Discharge of Private Business; Providing Penalties for the Violation Thereof; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 233. A Bill for an Act Providing for a Lien in Favor of House-Movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 250. A Bill for an Act to Amend and Reenact Section 2565 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 109, of the Session Laws of 1929, Relating to Salaries and Fees of Members of Board of Commissioners of Insanity, by Whom Paid, and Declaring an Emergency.

Senate Bill No. 30. A Bill for an Act to Amend and Reenact Chapter 158, Laws of 1933, Relating to the Foreclosure of Real Estate Mortgages by Advertisement.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 79. A Bill for an Act Providing for the Closing of the Hunting Season and Prohibiting all Hunting of Upland Game Birds Until the Opening of the Hunting Season in the Year 1942; Providing a Penalty for Violation of the Provisions Hereof.

Senate Bill No. 268. A Bill for an Act to Amend and Reenact Section 1498 of the Compiled Laws of 1913, Relating to the Records of the Teachers' Insurance and Retirement Fund.

Senate Bill No. 270. A Bill for an Act Providing That the Furnishing of Transportation or Its Equivalent to School Children Shall Be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 37. A Bill for an Act to Create and Establish the State Board of Finance and Administration, Defining its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Senate Bill No. 115. A Bill for an Act to Amend and Reenact Chapter 242, Session Laws of 1937, Relating to the Levying of a Tax for the Purpose of Paying Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Senate Bill No. 74. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Power, 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.

Senate Bill No. 125. A Bill for an Act Defining and Prohibiting Unfair Sales, Providing Remedies for Violation Thereof, and Establishing Penalties Therefor, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Requiring State Officers, Boards, Bureaus, Commissions, Departments, Institutions, Industries and Businesses to Prepare and File Reports, and Providing a Penalty for Failure to Comply With This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 178. A Bill for an Act Providing That the State Board of Finance and Administration Created and Established by Senate Bill Number 37 Now Pending Before This Legislative Assembly Shall be the Successor of The Board of Administration and Vesting in and Imposing Upon Said State Board of Finance and Administration All the Rights, Powers, Duties, Obligations and Prerogatives of Said Board of Administration, and Declaring an Emergency.

Senate Bill No. 177. A Bill for an Act to Repeal That Certain Initiated Law Entitled "An Act Prohibiting Corporation Farming and Relating to Corporations Acquiring and Holding Real Estate Not Necessary in the Operation of Their Business." Approved and Adopted by the Electors at the June 29, 1932 Primary Election, as Amended by Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, and as Further Amended by Chapter 111 of the Session Laws of North Dakota for the Year 1935.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Anderson of Benson, Skartvedt, and Gray.

MINNIE D. CRAIG, Chief Clerk.

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Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Byrne, Gray, and Ritter.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Page, Beede, and Moe.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Scholl, Beede, and Dalzell.

In the amendments to:

Senate Bill No. 40. 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.

MINNIE D. CRAIG, Chief Clerr.

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Fowers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 2 of Chapter 142 of the Session Laws of 1933; Section 8247a3 of the Supplement to the Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a14, 8247a13, 8247a15, 8247a16, 8247a17, 8247a18, 8247a20, 8247a21a, 8247a19, 8247a23, 8247a24, 8247a47, 8247a51, 8247a26, 8247a52, 8247a53, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

House Bill No. 13. 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.

And,

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Odegard, Ista, and Singleton.—House Bill No. 12.— Reps. Anderson of McKenzie, Rait and Trydahl—House Bill No. 8—Reps. Buchholz, Symington and Haugland.—House Bill No. 11—Reps. Hofstrand, Beede, and Shure.—House Bill No. 175. —Reps. Jensen, Hollstrand and Page,—House Bill No. 194.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 341. A Bill for an Act Assessing and Levying From April 1, 1939, to July 1, 1941, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to The State Highway Fund for Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926 and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and for Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary. The President called Senator Owings to the Chair.

Senator Whelan moved that the Senate be on the Special Order of Business, the Second Reading and Final Passage of House Bill No. 341, which motion prevailed.

The President resumed the Chair.

Senator Stucke moved that House Bill No. 341 be amended as follows:

In line 5 of the title, strike out the word "the" and insert in lieu thereof the following:

"25% thereof to the respective counties, according to population, for road purpose and the balance of the" and page 3, line 12, after the word "dealer" strike out the word "and" and insert in lieu thereof the following:

"25% of which is hereby allocated to the respective counties in proportion to the population, as determined by the 1930 census, to be used for road purposes and the balance of".

Senator Whelan demanded a roll call on the motion of Senator Stucke to amend House Bill No. 341, which was granted.

ROLL CALL

The question being on the motion of Senator Stucke to amend House Bill No. 341, the roll was called and there were ayes, 17; nays, 32; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Streibel
Brant	Lemke	Stucke
Fowler	Nelson, McKenzie	Tweten
Greiser	Olson, McHenry	Watt
Hill	Olson, Mountrail	Whelan
Isaak	Owings	

Those voting in the negative were:

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Aandahl	Gilbertson	Nelson, Grand Fks.
Aasen	Gronvold	Raschko
Bilden	Guenther	Skarvold
Blank	Guthrie	Thatcher
Blaisdell	Holl	Thorson
Bridston	Lavik	Торр
Braun	Leum	Trout
Dahl	Lian	Troxel
Drew	Magoffin	Wog
Flatt	Morgan	Young
Fredrickson	Morrison	

So the motion of Senator Stucke to amend House Bill No. 341 was declared lost.

Senator Whelan moved that House Bill No. 341 be amended as follows:

Insert new Section 3 as follows:

"One-third of the net amount received from the additional one-cent tax hereby imposed is hereby appropriated and shall be allocated and paid into the State Equalization Fund to be distributed through said fund for the benefit of the common schools of the State of North Dakota as now provided by law."

Which motion lost.

Senator Whelan demanded a roll call, which was granted.

ROLL CALL

The question being on the amendments to House Bill No. 341, as offered by Senator Whelan, the roll was called and there were ayes, 16; nays, 33; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Lemke	Stucke	
Fowler	Nelson, McKenzie	Tweten	
Greiser	Olson, Mountrail	Watt	
Hill	Skarvold	Whelan	
Isaak	Streibel	Wog	,
Kamrath			

Aandahl	n the negative were: Fredrick son	Morrison
Aasen	Gilbertson	Nelson, Grand Fks
Bilden	Gronvold	Olson, McHenry
Blank	Guenther	Owings
Blaisdell	Guthrie	Raschko
Brant	Holl	Thatcher
Bridston	Lavik	Thorson
Braun	Leum	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Young

So the motion of Senator Whelan on amending House Bill No. 341 was declared lost.

SECOND READING OF HOUSE BILLS

House Bill No. 341. A Bill For an Act Assessing and Levying From April 1, 1939 to July 1, 1941 on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund For Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926, and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and For Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 15; absent and not voting, 0.

Those voting in the affirmative were:

Aasen	Gronvold	Nelson, Grand Fks.
Bilden	Guenther	Olson, McHenry
Blank	Guthrie	Owings

Blaisdell	Holl	Raschko
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fredrickson	Morrison	Young
Gilbertson		

Those voting in the negative were:

A	andahl	Isaak	Streibel
E	Beaton	Kamrath	Trout
F	owler	Nelson, McKenzie	Watt
G	reiser	Olson, Mountrail	Whelan
E	Iill	Skarvold	Wog

So the bill passed and the title was agreed to.

Senator Blaisdell 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.

Senator Nelson of McKenzie: Mr. President, I want to explain my vote. I am not opposed to the good roads program but when my county needs that one cent to take care of the needy, I vote "no."

Senator Stucke: Mr. President, I wish to explain my vote. Believing that the extra cent gas tax will create more labor and in that way we can reduce the relief expenditures, I vote "aye."

Senator Drew: Mr. President, I wish to explain my vote. As indicated by the enormous mileage on our highways, the use of gasoline has become largely a luxury. This tax which will come partly from tourists will be matched by federal money and spent mostly for labor in the state—relieving relief accordingly. A cut of 5% in our mileage will pay the tax and bring in two and one-half million. Therefore I vote "aye" on this bill.

Senator Blaisdell moved that the Senate do now recess for 30 minutes, which motion prevailed.

The Senate reconvened at the expiration of the 30-minute recess.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

House Concurrent Resolution No. 406. Providing for Em-

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ployment and Compensation to Complete Final Record of All Bills of the 26th Legislative Session.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

Which the House has amended as follows:

In the title of the Bill strike out all the words and figures after the words "A Bill" and insert in lieu thereof the following:

"For an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively, State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency."

MINNIE D. CRAIG, Chief Clerk.

Senator Fredrickson moved that the Senate do concur in the House Amendments to Senate Bill No. 228, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and Senate Bill No. 228 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, Mountrail
Aasen	Guthrie	Owings
Beaton	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Торр

Flatt	Lian	Trout
Fowler	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young

Absent and not voting:

Nelson, Grand Fks. Watt

Bilden Bridston

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Which the House has amended as follows:

Section 1, line 47, strike out the word "shall" and insert in lieu thereof the word "may".

In line 49, and line 50 after the word "used" strike out the words "International Peace Garden and" and insert in lieu thereof the word "exclusively".

Amendments on page 1111 of the House Journal.

MINNIE D. CRAIG, Chief Clerk.

Senator Guenther moved that the Senate do concur in the House amendments to Senate Bill No. 94, which motion prevailed.

Senator Guenther moved that the rules be suspended and Senate Bill No. 94 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the	affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Торр
Flatt	Lian	Trout
Fowler	Magoffin	Troxel

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Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Absent and not	voting:	
Aandahl	Nelson, Grand Fks.	Watt
Bridston		
So the hill page	ad and the title was age	and to

So the bill passed and the title was agreed to.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that the following House Bills be placed at the foot of the calendar: 41, 5, 38, 143, 160 and 307, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the House has amended as follows:

In line 50, Sec. 4, strike out the numbers "244" and insert in lieu thereof the numbers "240."

In line 50, Sec. 4, strike out the numbers "1935" and insert in lieu thereof the numbers "1937."

MINNIE D. CRAIG, Chief Clerk.

Senator Magoffin moved that the Senate do concur in the House amendments to Senate Bill No. 104, which motion prevailed.

Senator Magoffin moved that the rules be suspended and Senate Bill No. 104 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, 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, 33; nays, 0; absent and not voting, 16.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Nelson, Grand Fks.
Beaton	Guenther	Nelson, McKenzie
Bilden	Holl	Olson, McHenry
Blaisdell	Isaak	Owings
Brant	Kamrath	Skarvold
Bridston	Lavik	Streibel
Dahl	Lemke	Stucke
Flatt	Lian	Thatcher
Fredrickson	Magoffin	Thorson
Gilbertson	Morgan	Topp
Greiser	Morrison	Troxel
Absent and not	voting:	
Aasen	Hill	Tweten
Blank	Leum	Watt
Braun	Olson, Mountrail	Whelan
Drew	Raschko	Wog
Fowler	Trout	Young

Guthrie

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The President announced that Senator Streibel would be appointed on the Conference Committee on House Bills No. 15, 16, 17, 18, 19 and 20, in the place of Senator Watt.

The President called Senator Thatcher to the Chair.

House Concurrent Resolution 405. Providing for continued employment and compensation thereof to complete records of present legislative session.

Was read the first time.

Senator Fredrickson moved that the rules be suspended, and House Concurrent Resolution No. 405 be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution 405. Providing for Continued Employment and Compensation Thereof to Complete Records of Present Legislative Session.

Was read the second time.

ROLL CALL

The question being on the final passage of House Concurrent Resolution 405, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Beaton	Isaak	Nelson, McKenzie
Bilden	Kamrath	Olson, McHenry
Brant	Lavik	Raschko

Bridston	Lemke	Skarvold
Dahl	Leum	Streibel
Flatt	Lian	Stucke
Fredrickson	Magoffin	Thatcher
Greiser	Morgan	Thorson
Gronvold	Morrison	Topp
Guenther	Nelson, Grand Fks.	Troxel
Holl		

Absent and not voting:

Aandahl	Fowler	Trout
Aasen	Gilbertson	Tweten
Blank	Guthrie	Watt
Blaisdell	Hill	Whelan
Braun	Olson, Mountrail	Wog
Drew	Owings	Young
Co the Community	Develution was d	aland adopt

So the Concurrent Resolution was declared adopted.

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to Complete and Index Senate and House Journals of the Last Days of Session and Providing Compensation Therefor.

Was read the first time.

Senator Owings moved that the rules be suspended and House Concurrent Resolution No. 404 be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to Complete and Index Senate and House Journals of the Last Days of Session and Providing Compensation Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

	the affirmative were:	M.L.
Beaton	Holl	Nelson, McKenzie
Bilden	Isaak	Olson, McHenry
Blaisdell	Kamrath	Owings
Brant	Lavik	Skarvold
Dahl	Lemke	Streibel
Flatt	Leum	Thatcher
Fredrickson	Lian	Thorson
Gilbertson	Magoffin	Торр
Greiser	Morrison	Troxel
Gronvold	Nelson, Grand Fks.	Whelan
Guenther		
Absent and not	voting were:	
Aandahl	Fowler	Stucke
Aasen	Guthrie	Trout
Blank	Hill	Tweten
Bridston	Morgan	Watt
Braun	Olson, Mountrail	Wog
Drew	Raschko	Young
So the Concurr	ent Resolution was d	leclared adopted.

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

Was read the first time.

Senator Gilbertson moved that House Concurrent Resolution 407 be indefinitely postponed.

Senator Owings made a substitute motion that the rules be suspended and House Concurrent Resolution No. 407 be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

Was read the second time.

ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in	the affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	
Those voting in t	he negative were:	
Gilbertson	Торр	Troxel
Lavik	Trout	001000
Absent and not	voting:	
Aandahl	Flatt	Morgan
Bridston	Isaak	Watt
		Watt

So the Concurrent Resolution was declared adopted.

The presiding officer called Senator Thorson to the chair.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution 405. Providing for Continued Employment and Compensation Thereof to Complete Records of Present Legislative Session.

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to Complete and Index Senate and House Journals of the Last Days of Session and Providing Compensation Therefor.

House Concurrent Resolution No. 407. A Concurrent

Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Sub-divisions 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, 30; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aandahl	Gronvold	Morgan
Aasen	Guenther	Nelson, McKenzie
Beaton	Hill	Olson, McHenry
Blank	Holl	Raschko
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Braun	Lemke	Thorson
Dahl	Leum	Topp
Flatt	Lian	Troxel
Fredrickson	Magoffin	Tweten

Absent and not voting:

Bilden	Lavik	Thatcher
Bridston	Morrison	Trout
Drew	Nelson, Grand Fks.	Watt
Fowler	Olson, Mountrail	Whelan
Gilbertson	Owings	Wog
Greiser	Skarvold	Young
Guthrie		

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which House Bill No. 41 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Senator Leum moved that the Senate do not concur in the House amendments to House Bill No. 11, which motion prevailed.

Senator Leum moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 11.

And the President appointed as such committee: Senators Leum, Skarvold and Gilbertson.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the	affirmative were:	
Aasen	Guenther	Olson, Mountrail
Beaton	Holl	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Absent and not vot	ing:	
Aandahl	Guthrie	Thatcher
Bilden	Hill	Watt

Fowler So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Gronvold moved that the vote by which House Bill No. 5 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in th	he affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morrison	Tweten
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold	Conce and and	
Absent and not v	oting:	
Bilden .	Guthrie	Thatcher
Fowler	Morgan	Watt

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So the bill passed and the title was agreed to.

Senator Hill moved that the vote by which House Bill No. 38 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

The President resumed the Chair.

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Hill	Olson, Mountrail
Blank	Holl	Owings
Blaisdell	Isaak	Raschko
Brant	Kamrath	Skarvold
Bridston	Lavik	Streibel
Braun	Lemke	Stucke
Dahl	Leum	Thorson
Drew	Lian	Торр
Flatt	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Wog

Absent and n	ot voting:	
Bilden	Thatcher	Whelan
Fowler	Watt	Young
Guthrie		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

House Bill No. 160. 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, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in	the affirmative we	re:
Aasen	Holl	Owings
Beaton	Isaak	Raschko
Brant	Kamrath	Skarvold
Braun	Lavik	Streibel
Dahl	Lemke	Stucke
Drew	Leum	Thorson
Flatt	Lian	Topp
Fredrickson	Magoffin	Trout

Gilbertson	Morgan	Troxel
Greiser	Morrison	Tweten
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Hill	Olson, Mountrail	Young
Absent and not	voting:	
Aandahl	Bridston	Nelson, Grand Fks.
Bilden	Fowler	Thatcher
Blank	Guthrie	Watt
Blaisdell		

So the bill passed and the title was agreed to.

Senator Hill 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 Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in	the affirmative were:	
Aasen	Isaak	Raschko
Beaton	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Brant	Lemke	Stucke
Braun	Lian	Thorson
Dahl	Magoffin	Topp
Drew	Morgan	Trout
Fredrickson	Morrison	Troxel
Gilbertson	Nelson, Grand Fks.	Tweten
Greiser	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young
Holl	Owings	

Absent and not voting:

Aandahl	Flatt	Leum
Bilden	Fowler	Thatcher
Blank	Guthrie	Watt
Bridston	Hill	

So the bill passed and the title was agreed to.

Senator Tweten moved that the vote by which House Bill No. 37 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fredrickson requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Fredrickson moved that House Bills No. 105 and 79 be placed at the foot of the calendar, which motion prevailed.

Senator Whelan moved that the Senate do not concur in the House amendments to House Bill No. 277, which motion prevailed.

Senator Whelan moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 277.

And the President appointed as such committee: Senators: N. N. Nelson of Grand Forks,

A. N. Lavik, and

T. E. Whelan.

Senator Whelan moved that the Senate do concur in the House amendments to Senate Bill No. 284, which motion prevailed.

Senator Whelan moved that the rules be suspended and Senate Bill No. 284 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Owings
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Bridston	Lavik	Stucke
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Troxel
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Absent and not	voting:	
Bilden	Guthrie	Thatcher

Bilden	Guthrie	Thatcher
Brant	Raschko	Watt
Fowler		

Fowler

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return: Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Which the House has amended as follows:

In Sec. 1, sub-division 2, line 30, after the word "Act," strike out the words "it shall" and in line 31, strike out the words "be the duty of."

In line 31, after the word "Board," insert "may in its discretion and at its option," and in the same line strike out the word "to" before the word "pay."

And recommend the adoption of the amendments of the Standing Committee.

And further amendment:

On page 3, line 40, of the printed bill, strike out the figure "7" and insert in lieu thereof the figures "11."

And when so amended, recommend the same do pass.

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that the Senate do concur in the House amendments to Senate Bill No. 189, which motion prevailed.

Senator Whelan moved that the rules be suspended and Senate Bill No. 189 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws 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, 42; nays, 0; absent and not voting, 7.

Those voting in th	ne affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Beaton	Hill	Owings
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lemke	Thorson
Braun	Leum	Торр
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fredrickson	Morrison	Whelan

Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young

Absent and not voting:

Bilden Lavik Thatcher Fowler Raschko Watt

Guthrie

So the bill passed and the title was agreed to.

Senator Hill moved that the vote by which Senate Bill No. 189 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Which the House has amended as follows:

In section 4, page 4, line 87 of the original bill, after the word "than" strike out the figure "50" and insert in lieu thereof the figure "30."

In section 5, page 4, line 94 of the original bill, after the word "shall" insert the following: "in case of dispute."

In section 9, page 6, line 172 of the original bill, strike out the following words "all revenues derived under authority of this Act shall be used for the enforcement of the provisions thereof."

In section 9, page 7, line 176 of the original bill after the word "be" strike out the words "properly recorded by him and" and insert in lieu thereof the word "promptly."

In section 9, page 7, line 177 of the original bill after the word "Dakota" strike out the "period" and insert in lieu thereof a "comma," and insert the following words "for deposit in the general fund."

MINNIE D. CRAIG, Chief Clerk.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 61, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 61 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays 0; absent and not voting, 5.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarveld
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thorson
Bridston	Leum	Topp
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and not voting were: Flatt Guthrie Watt Fowler Thatcher

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Which the House has amended as follows:

Section 1, line 3, strike out the words "twenty-five thousand, five hundred and eighty-five" and in line 4, strike out the words and figures "dollars and fifty-nine cents (\$25,-585.59) and insert in lieu thereof the words and figures "twenty-eight thousand, eight hundred and eighty-five dollars and fifty nine cents (\$28,885.59)."

Line 9, strike out the figures "\$6,880.00" and insert in lieu thereof the figures "\$8,160.00."."

Line 10, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$1,500.00."

Insert a new line 15 "Ass't. Attorney General-Salary \$1,-500.00."

Line 16, strike out the figures "\$9,910.00" and insert in lieu thereof the figures "\$13,210.00."

Re-number beginning with line 16, change to line 15 and continue re-numbering to the end of the section.

MINNIE D. CRAIG, Chief Clerk.

Senator Aandahl moved that the Senate do concur in the the House amendments to Senate Bill No. 249, which motion prevailed.

Senator Aandahl moved that the rules be suspended and Senate Bill No. 249 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 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, 47; nays, 0; absent and not voting, 2. .

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, Mountrail
Aasen	Guenther	Owings
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
Blaisdell	Kamrath	Stucke
Brant	Lavik	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Magoffin	Troxel
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	
Greiser	Olson, McHenry	

Absent and not voting were: Guthrie Watt

So the bill passed and the title was agreed to.

Senator Blaisdell moved that Senate Bill No. 265 be rereferred to the Committee on State Affairs for further consideration, which motion prevailed.

Senator Drew moved that the Senate do concur in the House amendments to Senate Bill No. 140.

Senator Blaisdell made a substitute motion that the Senate do not concur in the House amendments to Senate Bill No. 140, which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 140.

And the President appointed as such committee:

Senator Blaisdell, Senator Morgan, and

Senator Drew.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 277.

And find the same correctly engrossed.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 47. Senate Bill No. 56. Senate Bill No. 68. Senate Bill No. 130. Senate Bill No. 132. Senate Bill No. 139. Senate Bill No. 149. Senate Bill No. 211. Senate Bill No. 89. Senate Bill No. 232. And, Senate Concurrent Resolution No. 271. Senate Concurrent Resolution No. 135, and

Senate Concurrent Resolution No. 285. And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution No. 408, have had the same under consideration and return it without recommendation.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that House Concurrent Resolution No. 408 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 124; Senate Bill No. 77; Senate Bill No. 133; Senate Bill No. 190; Senate Bill No. 195; Senate Bill No. 205: Senate Bill No. 222; Senate Bill No. 283, and Joint Resolution "A" And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Federal Relations to whom was referred Senate Concurrent Resolution No. 286, have had the same under consideration and recommend that the same do pass.

ED. LIAN, Chairman.

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Senator Lian moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee on Education to whom was referred House Bill No. 36, have had the same

under consideration and recommend that the Senate recede from its amendment.

For the House:
W. H. Shure
George H. Lange
John McIntyre.

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Aandahl moved that the Conference Committee be discharged, which motion prevailed.

Senator Young moved that the Journal show that the State Affairs Committee was absent and not voting because of being in a committee meeting, which motion prevailed.

SECOND READING OF CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 286. A concurrent resolution relating to the distribution of money obtained from the sale of public lands and from royalties on minerals contained therein.

Was read the second time.

Senator Gilbertson moved that Senate Concurrent Resolution No. 286 be adopted.

Senator Olson of Mountrail made a substitute motion that Senate Concurrent Resolution No. 286 be indefinitely postponed.

At the request of several Senators, the President announced that Senate Concurrent Resolution No. 286 would be laid over until the Conference Committees had returned.

Senator Fredrickson moved that the Senate be on the Fifteenth Order of Business, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

The Secretary announced that the President was about to sign:

Senate Bill No. 205. A Blil for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, Which is an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

The Secretary announced that the President was about to sign:

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 89. A Bill for an Act to Amend and Re-

enact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debts for Actual Farm Families, Which Bill is Now Pending in Congress Known as 1. 136.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for

1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration, or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exception Thereto; Providing for Method by Which Decrees of Adoption May be Attacked and Time When Such Proceedings Therefor May be Commenced; Specifying the Procedure by Which Custody of Children Involved in Such Proceedings May be Changed; and Declaring that an Emergency Exists.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

The Secretary announced that the President was about to sign:

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate,

The Secretary announced that the President was about to sign:

Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Pro-

viding Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

The Secretary announced that the President was about to sign:

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Paragraph I of Section 4 of Chapter 162, Session Laws of 1927 and Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919 as Amended by 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 1931; and Section 23 of Chapter 162, Session Laws of 1919 Which Also Appears as Section 396a23 of the 1925 Supplement.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 184. A Bill for an Act Authorizing the

Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

And the President signed the same in the presence of the Sonate.

The Secretary announced that the President was about to sign:

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Sub-division (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143, of the Session Laws of North Dakota for 1933, Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 31. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

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 Workmen's Compensation Bureau.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The President announced that the Senate would be on the Thirteenth Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 6; absent and not voting, 11.

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	e affirmative were:	
Aasen	Fredrickson	Nelson, McKenzie
Beaton	Greiser	Olson, McHenry
Bilden	Guenther	Raschko
Blank	Guthrie	Skarvold
Blaisdell	Hill	Thatcher
Bridston	Kamrath	Trout
Braun	Lavik	Troxel
Dahl	Lemke	Whelan
Drew	Leum	Wog
Flatt	Morgan	Young
Fowler	Nelson, Grand Fks.	0
Those voting in th	e negative were:	
Isaak	Owings	Thorson
Olson, Mountrail	Streibel	Tweten
Absent and not vo	oting were:	
Aandahl	Holl	Stucke
Brant	Lian	Topp

Gilbertson Magoffin Watt Gronvold Morrison

So the bill passed and the title was agreed to.

Senator Hill 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.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 265, which motion prevailed.

Senator Young moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 265.

And the President appointed as such Committee: Senators Owings, Wog and Aandahl.

Senator Young moved that the Senate be on the Eighth Order of Business, which request was granted.

Senator Young moved that Senate Bill No. 265 be recalled from the Committee on State Affairs, which motion prevailed.

Senator Nelson of McKenzie moved that the rules be suspended and that House Bill No. 79 be placed at the head of the calendar.

Senator Whelan made a substitute motion that House Bill No. 79 be placed at the foot of the calendar, which motion prevailed.

Senator Wog moved that House Bills No. 302 and 354 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those	voting	in	the	affirmative	were:	
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Those voting in th	e allimative were.	
Aandahl	Gronvold	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Isaak	Stucke
Brant	Kamrath	Thatcher
Braun	Lavik	Thorson
Dahl	Lemke	Торр
Drew	Leum	Troxel
Flatt	Lian	Tweten
Fowler	Magoffin	Whelan

Fredrickson	Morgan	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser	Nelson, McKenzie	

Those voting	in the negative were:	
Blaisdell	Guenther	Owings
Bridston	Morrison	Streibel

Absent and not voting were: Trout Watt

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which House Bill No. 302 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 3, 1939.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

JOHN MOSES, Governor.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 103.

Senate Bill No. 104.

Senate Bill No. 228, and

Senate Bill No. 249.

And find the same correctly enrolled:

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Streibel moved that House Bill No. 354 be amended as follows:

Strike out lines 115 to 124 inclusive, which motion prevailed.

Senator Olson of Mountrail moved a further amendment to House Bill No. 354 as follows:

On page 888 of the House Journal, line 29, change the figure "1937" to "1940", which motion prevailed.

Senator Isaak moved a further amendment to House Bill No. 354 as follows:

In line 96, change the figures "\$20" to "\$18".

In line 97, change the figures "\$22.50" to "\$20.00" and line 98, change the figures "\$25.00" to "\$22.50", which motion prevailed.

Senator Greiser moved a further amendment to House Bill No. 354 as follows:

In line 8, page 2, change the words and figures "fifty (50)" to "forty (40)", which motion prevailed.

Senator Streibel moved that the rules be suspended and that House Bill No. 354 be placed on Second Reading and Final Passage, as amended.

Senator Whelan moved that further consideration of House Bill No. 354 be indefinitely postponed which motion prevailed.

Senator Bilden moved that the vote by which House Bill No. 354 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Braun moved that House Bill No. 249 be placed at the head of the calendar.

Senator Raschko moved that further consideration of House Bill No. 249 be indefinitely postponed, which motion prevailed.

Senator Raschko moved that the vote by which House Bill No. 249 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Blasidell moved that the Senate do now recess until 9:00 A. M., March 4th.

Senator Fowler made a substitute motion that the Senate be on the 15th Order of Business, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 43. 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.

Which the Senate has amended as follows:

In line 4, strike out the figures "\$121,100.00" and insert in lieu thereof the figures "\$119,800.00."

In line 13, strike out the figures "\$2,200.00" and insert in lieu thereof the figures "\$1,500.00."

In line 14, strike out the figures "\$800.00" and insert in lieu thereof the figures "\$600.00."

In line 15, strike out the figures "\$200.00" and insert in lieu thereof the figures "\$300.00."

In line 17, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$3,000.00."

In line 18, strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 20, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$10,000.00."

In line 22, strike out the figures "\$18,200.00" and insert lieu thereof the figures "\$13,200.00."

In line 26, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$2,000.00."

Following line 26 insert a new line to read "Construction" and insert the figures "\$10,000.00."

In line 27, strike out the figures "\$121,100.00" and insert in lieu thereof the figures "\$119,800.00."

WM. J. LOWE. Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appro-

priation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Which the Senate has amended as follows:

In line 1 after the word "appropriated," strike out all of line 2 and that portion of line 3 to and including "\$22,810.00," and insert in lieu thereof the following: "the sum of \$2,400.00 out of the Pullorum Fund of the State Livestock Sanitary Board and the sum of \$22,160.00 out of the State Treasury, not otherwise appropriated."

In line 13, strike out the figures "\$300.00" and insert in lieu thereof the figures "\$650.00."

In line 17, strike out the figures "\$500.00" and insert in

lieu thereof the figures "\$700.00." In line 19, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$2,400.00."

In line 20, strike out the figures "\$22,810.00" and insert in lieu thereof the figures "\$24,560.00."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game and Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

Which the Senate has amended as follows:

After the enacting clause, strike out all lines to "Section 1." In Section 2, line 4, after the words "State Treasury" insert the following: "in the Game and Fish Fund."

Re-number the Emergency clause to read "Section 3."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Which the Senate as amended as follows:

In line 32, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$6,000.00."

In line 35, strike out the figures "\$21,900.00" and insert in lieu thereof the figures "\$23,900.00."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively, State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands

Belonging to Said Counties Therefor; and Declaring an Emergency.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 243 of the Session Laws of North Dakota for 1937, 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939. WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like Committee from the House, Senators Leum, Skarvold and Gilbertson, relative to amendments on:

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act wtih a like Committee from the House, Senators Blaisdell, Morgan and Drew, relative to:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 36. 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.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 410. A Concurrent Resolution Proposing the Appropriation of Twelve Thousand Dollars (\$12,000.00) or so Much Thereof as May Be Necessary for the Purpose of Paying the Salaries of the Legislative Employees of the 26th Legislative Assembly.

Which the House has passed and your favorable consideration is requested.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on:

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also, adopted the Conference Committee report on:

House Bill No. 36. 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.

MINNIE D. CRAIG, Chief Clerk.

Senator Aandahl moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 32.

And the President appointed as such Committee: Senators Braun, Thatcher and Young.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that: Senate Bill No. 101;

Senate Bill No. 101; Senate Bill No. 29; Senate Bill No. 50; Senate Bill No. 34;

Senate Bill No. 98;

Senate Bill No. 153;

Senate Bill No. 175; Senate Bill No. 88;

Senate Bill No. 99;

Senate Bill No. 100, and

Senate Bill No. 134,

Were delivered to the Governor for his approval at the hour of 6 P. M., March 3, 1939.

W. J. TROUT, Chairman.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 8.

And the President appointed as such committee, Senators Young, Lemke and Leum.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 12.

And the President appointed as such committee, Senators Drew, Morgan and Leum.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 194.

And the President appointed as such committee, Senators Fredrickson, Tweten and Skarvold.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the

House has refused to concur in the Senate amendment to:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the Department of Public Health.

And the Speaker has appointed as a Conference Committee, Representatives Odegard, Ista and Singleton.

MINNIE D. CRAIG, Chief Clerk.

Senator Thatcher moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 10.

And the President appointed as such Committee, Senators Stucke, Thorson and Olson of McHenry.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 175.

And the President appointed as such Committee, Senators Aasen, Fowler and Tweten.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 362.

And the President appointed as such Committee, Senators Leum, Topp and Beaton.

Senator Blaisdell moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

WM. J. LOWE, Secretary.

SIXTIETH DAY

The Senate convened at 2:00 P. M., with the President presiding.

Prayer by the Chaplain, Adj. Walter Millar.

Roll call: All Senators present, except Senators Troxel and Watt.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-eighth Day After Recess and Fifty-ninth Day and recommend that the same be corrected as follows:

Page 819, line 37, change the figures "385" to "365."

And when so corrected, recommend that the same be approved.

ROBERT GREISER, Chairman.

Senator Greiser moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced the receipt of a communication from Dr. Walter Scott of Ray, as follows:

Ray, North Dakota,

March 2, 1939.

TELEGRAM

Lieutenant Governor Jack Patterson,

Senate Chamber, Bismarck, N. Dak.

We wish to thank you and all the Senators for your honest efforts at Legislation. True you found like "Mother Hub-bard" quite a bare cupboard, but noted you all frowned on useless spending. Twenty thousand pair of Townsend eyes were constantly watching every move, and when you tossed the Elephant, Goat and Donkey into the discard and got down to business, you will be assured of a second trip to the Capital City.

I want to consider every Senator a key man in his own community for the Townsend Legion drive, commencing this month.

Very Sincerely, WALTER B. SCOTT, M. D.,

State Publicity Director for 60,000 More Townsend Members for 1939.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 284; Senate Bill No. 189, and Senate Bill No. 94,

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 40, have had the same under consideration and beg leave to report that they were unable to agree and ask that they be discharged, and recommend that another Conference Committee be appointed.

For the Senate:	For the House:
A. W. Fowler	R. R. Scholl
Wm. A Thatcher	R. G. Beede
James W. Guthrie.	Alex Dalzell.

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Fowler moved that the President appoint another Conference Committee to meet with a like Committee from the House on Senate Bill No. 40.

And the President appointed as such Committee, Senators Fredrickson, Whelan and Gilbertson.

Mr. President: Your Conference Committee to whom was referred House Bill No. 17, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommends the bill to pass in its original form. For the Senate: For the House:

for the Senate:	For the House:
Fred G. Aandahl,	L. L. Twichell,
James W. Guthrie,	R. G. Beede,
R. M. Streibel.	C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Aandahl moved that the committee be excused, which motion prevailed.

Senator Streibel moved that the rules be suspended and that House Bill No. 17 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 17. 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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Those voting in the	allimative were.	
Aandahl	Gilbertson	Nelson, Grand Fks.
Aasen	Greiser	Nelson, McKenzie
Beaton	Gronvold	Olson, McHenry
Bilden	Guenther	Olson, Mountrail
Blank	Hill	Owings
Blaisdell	Isaak	Raschko
Brant	Kamrath	Streibel
Bridston	Lavik	Thatcher
Braun	Lemke	Topp
Dahl	Lian	Trout
Drew	Magoffin	Whelan
Flatt	Morgan	Wog
Fowler	Morrison	Young
Absent and not voti	no.	

Absent and not voting: Fredrickson Skarvold Troxel

Guthrie	Stucke	Tweten
Holl	Thorson	Watt
Leum		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 16, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommend the bill to pass in its original form.

For the Senate:	For the House:
Fred G. Aandahl,	L. L. Twichell,
James W. Guthrie,	R. G. Beede,
R. M. Streibel.	C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Aandahl moved that the committee be discharged, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that House Bill No. 16 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 16. 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, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Inose voting in	the arrithative were.	
Aandahl	Greiser	Morrison
Aasen	Gronvold	Nelson, Grand Fks.
Beaton	Guenther	Nelson, McKenzie
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Owings
Blaisdell	Isaak	Raschko
Brant	Kamrath	Streibel
Bridston	Lavik	Thatcher
Braun	Lemke	Topp
Dahl	Leum	Trout
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Gilbertson	String Man	
Absent and not	voting were:	

Absent and not vo	ting were:	
Fredrickson	Skarvold	Troxel
Holl	Stucke	Tweten
Olson, McHenry	Thorson	Watt
a 11 1 111 1		the state of the state of the

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 18, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommends the bill to pass in its original form. F

'or the Senate:	For the House:
Fred G. Aandahl	L. L. Twichell
James W. Guthrie	R. G. Beede
R. M. Streibel.	C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Aandahl moved that the Committee be discharged, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that House Bill No. 18 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures 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, 38; nays, 0; absent and not voting, 11.

affirmative were:	
Gronvold	Nelson, Grand Fks.
Guenther	Nelson, McKenzie
Guthrie	Olson, Mountrail
Hill	Owings
Isaak	Raschko
Kamrath	Streibel
Lavik	Thatcher
Lemke	Торр
Leum	Trout
Lian	Whelan
Magoffin	Wog
Morgan	Young
Morrison	
	Gronvold Guenther Guthrie Hill Isaak Kamrath Lavik Lemke Leum Lian Magoffin Morgan

Absent and not voting:

Blank	Olson, McHenry	Troxel
Braun	Skarvold	Tweten
Fredrickson	Stucke	Watt
Holl	Thorson	

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES Mr. President: Your Conference Committee to whom was referred House Bill No. 20, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommends the bill to pass in its original form.

For the Senate:	For the House:
Fred G. Aandahl	L. L. Twichell
James W. Guthrie	R. G. Beede
R. M. Streibel.	C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Aandahl moved that the Committee be discharged, which motion prevailed.

Senator Guthrie moved that the rules be suspended and that House Bill No. 20 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 20. 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, 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, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aandahl	Greiser	Morrison
Aasen	Gronvold	Nelson, Grand Fks.
Beaton	Guenther	Nelson, McKenzie
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Owings
Blaisdell	Isaak	Raschko
Brant	Kamrath	Streib=!
Bridston	Lavik	Thatcher
Braun	Lemke	Торр
Dahl	Leum	Trout
Drew	Lian	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Gilbertson	0	

Fredrickson	Skarvold	Troxel
Holl	Stucke	Tweten
Olson, McHenry	Thorson	Watt

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 15, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommends the bill to pass in its original form.

For the House:
L. L. Twichell
R. G. Beede
C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Aandahl moved that the Committee be discharged, which motion prevailed.

Senator Streibel moved that the rules be suspended and that House Bill No. 15 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 15. 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, 43; nays, 0; absent and not voting, 6.

Aandahl	the affirmative were: Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Whelan
Fowler	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Greiser		

Absent and not voting:

Fredrickson	Skarvold	Tweten
Holl	Troxel	Watt

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 19, have had the same under consideration and beg leave to report that the Senate recedes from its amendments and the committee recommends the Bill to pass in its original form.

For	the	Sei	nate	:	
F	red (G. /	Aan	dahl.	

or the Senate:	For the House:
Fred G. Aandahl,	L. L. Twichell,
James W. Guthrie,	R. G. Beede,
R. M. Streibel.	C. P. Ritter.

Senator Aandahl moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Aandahl moved that the committee be discharged, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that House Bill No. 19 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 19. 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, 43; nays, 0; absent and not voting, 6.

	the affirmative were:	Malaan Makania
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Whelan
Fowler	Morrison	Wog
Gilbertson Greiser	Nelson, Grand Fks.	Young

Absent and not	voting were:	
Fredrickson	Skarvold	Tweten
Holl	Troxel	Watt

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee on Appropriations to whom was referred House Bill No. 11, have had the same under consideration and recommend that the House recede from its amendments and concur in the Senate amendments.

For the Senate:	For the House:
Henry Leum,	Theodore G. Buchholz,
Andrew Skarvold,	Brynhild Haugland.
Ben. Gilbertson.	E. Symington,

Senator Leum moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Leum moved that the committee be discharged, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 10, have had the same under consideration and recommend that the House recede from its amendments.

For the Senate:	For the House:
E. C. Stucke,	W. R. Singleton,
Herman Thorson,	L. C. Odegard,
Martin Olson.	Mrs. George Ista.
Country Charles manual that the	

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the committee be discharged, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 12, have had the same under consideration and recommend that the House recede from its amendments.

For the Senate:	For the House:
E. C. Stucke.	W. R. Singleton,
Herman Thorson,	L. C. Odegard,
Martin Olson.	Mrs. Geo. Ista.
A I A I I I	1 11

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

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Senator Stucke moved that the committee be discharged, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

Was read for the first time.

Senator Guthrie moved that the rules be suspended and Senate Concurrent Resolution No. 287 be adopted, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 410. A Concurrent Resolution Proposing the Appropriation of Twelve Thousand Dollars (\$12,000.00) or so Much Thereof as May Be Necessary for the Purpose of Paying the Salaries of the Legislative Employees of the 26th Legislative Assembly.

Was read for the first time.

Senator Olson of McHenry moved that the rules be suspended and House Concurrent Resolution No. 410 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 410. A Concurrent Resolution Proposing the Appropriation of Twelve Thousand Dollars (\$12,000.00) or so Much Thereof as May Be Necessary for the Purpose of Paying the Salaries of the Legislative Employees of the 26th Legislative Assembly.

Was read the second time.

ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

	the allirmative were:	
Aandahl	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Торр
Flatt	Morgan	Trout
Fowler	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold		2001 - C.

Absent and not voting: Aasen Holl Tweten Fredrickson Troxel Watt So the Concurrent Resolution was declared adopted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 277 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 277, have had the same under consideration and recommend that the House adopt the bill as passed by the Senate.

For the Senate: Thomas Whelan Nick N. Nelson

A. N. Lavik.

For the House: J. M. Anderson S. K. Skartvedt Robert T. Gray.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Whelan moved that the Committee be discharged, which motion prevailed.

Senator Whelan moved that the vote by which the report of the Conference Committee on House Bill No. 277 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House adopted the reports of the Conference Committee on the following:

House Bill No. 17. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 19. 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.

House Bill No. 16. 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.

House Bill No. 15. 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.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

MINNIE D. CRAIG, Chief Clerk.

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Senator Blaisdell moved that the Senate be on the Eighth Order of Business, which request was granted.

Senator Blaisdell moved that the House be requested to return Senate Bill No. 277, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the

Senate has requested the return of: Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Gronvold requested that the Senate be on the Eighth Order of Business, which request was granted.

Senator Gronvold moved that the absent Senators be excused, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee relative to:

Senate Bill No. 40. 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.

House Members Lange, Page and Jensen.

MINNIE D. CRAIG, Chief Clerk.

Senator Thatcher moved that House Bill No. 158 be amended as follows:

In line 15, page 2, change the figures "1941" as amended, to "1939."

Senator Whelan moved that House Bill No. 158 be placed at the foot of the calendar, which motion prevailed.

Senator Blaisdell moved that House Bill No. 279 be amended as follows:

In line 22, page 2, of the printed bill, after the word "agreements," insert the language: "not contrary to any provisions of this Act," which motion prevailed.

Insert a Section 2 as follows: "Section 2. REPEAL.) Repealing All Acts or Parts of Acts in Conflict Herewith."

Senator Blaisdell moved that the rules be suspended and

that House Bill No. 279 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and allow the President of the Senate to talk on House Bill No. 279, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160 of the 1933 Session Laws; providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; 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, 37; nays, 5; absent and not voting, 7.

	the affirmative were	
Aandahl	Gronvold	Nelson, Grand Fks.
Beaton	Guenther	Nelson, McKenzie
Bilden	Guthrie	Olson, McHenry
Blank	Hill	Olson, Mountrail
Blaisdell	Isaak	Raschko
Brant	Lavik	Skarvold
Bridston	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Торр
Flatt	Morgan	Trout
Fredrickson	Morrison	Wog
Greiser	MOTTISON	in og
Those voting in	the negative were:	
Gilbertson	Streibel	Young
Owings	Whelan	
Absent and not	voting were:	
Aasen	Kamrath	Tweten
Fowler	Troxel	Watt
Holl		

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the vote by which House Bill No. 279 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like Committee from the House, Senators Fowler, Aasen and Tweten relative to:

House Bill No. 175. A Bill for an Act to Provide Revenue

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by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like Committee from the House, Senators Young, Lemke and Leum relative to:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary Clerk Hire, and General Expenses of the State Historical Society.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like Committee from the House, Senators Braun, Thatcher and Young, relative to:

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like Committee from the House, Senators Drew, Morgan and Lian, relative to:

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

N. Nelson, A. N. Lavik and T. Whelan.

Relative to:

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

R. A. Owings, Gust Wog and F. G. Aandahl.

Relative to:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

E. C. Stucke, Herman Thorson and Martin Olson of Mc-Henry.

Relative to:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the Department of Public Health. WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

F. J. Fredrickson, Gust Tweten and Andrew Skarvold. Relative to:

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

Henry Leum, Otto Topp and Frank H. Beaton.

Relative to:

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May Be Commenced; Specifying the Procedure by Which Custody of Children Involved in Such Proceedings May Be Changed; and Declaring That an Emergency Exists.

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and Acts Amendatory Thereof.

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to beneficial appropriation and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 91. Providing for the

Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

House Bill No. 385. A Bill for an Act Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Cperation of the Workmen's Compensation Bureau.

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund. Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 31. 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.

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the same being Sections 283c1 to 283c6, inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the 1935 Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to <u>Repeal</u> Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives. Bismarck, March 3, 1939.

Dismarck, March 5, 13

Mr. President: I have the honor to return:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Which the Senate has requested.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Hill	Olson, Mountrail
Bilden	Isaak	Owings
Blaisdell	Kamrath	Raschko
Blank	Lavik	Skarvold
Brant	Lemke	Streibel
Bridston	Leum	Stucke
Braun	Lian	Thatcher
Dahl	Magoffin	Thorson
Drew	Morgan	Topp
Fredrickson	Morrison	Trout
Gilbert son Greiser	Nelson, Grand Fks.	Whelan
Absent and not	voting were:	

Absent and n	ot voting were:	
Flatt	Holl	Watt
Fowler	Troxel	Wog
Guthrie	Tweten	Young

So the bill passed and the title was agreed to.

Senator Whelan moved that House Bill No. 285 be amended as follows:

In line 6 of the Senate amendments, page 821 of the Senate Journal, line 25, strike out the word "service" after the word "traffic,", which motion prevailed.

Senator Whelan moved that the rules be suspended and

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that House Bill No. 285 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; 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, 25; nays, 19; absent and not voting, 5.

	the affirmative were:	2203.0
Aandahl	Fowler	Morrison
Beaton	Fredrickson	Nelson, Grand Fks.
Bilden	Gilbertson	Owings
Blank	Guthrie	Raschko
Brant	Hill	Skarvold
Bridston	Lian	Thatcher
Braun	Magoffin	Торр
Dahl	Morgan	Wog
Drew	5	
Those voting in	the negative were:	
Blaisdell	Lavik	Streibel
Flatt	Lemke	Stucke
Greiser	Leum	Thorson
Gronvold	Nelson, McKenzie	Trout
Guenther	Olson, McHenry	Whelan

Absent	and not	voting were:	
Aasen		Troxel	Watt
Holl		Tweten	

So the bill passed and the title was agreed to and the Emergency Clause was declared lost.

Olson, Mountrail

MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 3, 1939.

Young

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee, House members:

R. G. Beede,

Isaak

Kamrath

Bernt Anderson of McKenzie,

George Saumur.

Relative to:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

MINNIE D. CRAIG, Chief Clerk.

Senator Gilbertson moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 27.

And the President appointed as such committee Senators C. P. Dahl, P. W. Blank and Ed. A. Hill.

Senator Whelan moved that Senate Concurrent Resolution No. 365 be placed at the foot of the calendar, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 160. 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.

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

House Concurrent Resolution No. 410. A Concurrent Resolution Proposing the Appropriation of Twelve Thousand Dollars (\$12,000.00) or so Much Thereof as May Be Necessary for the Purpose of Paying the Salaries of the Legislative Employees of the 26th Legislative Assembly.

Which the Senate has passed unchanged.

Mr. Speaker: I have the honor to return:

House Bill No. 249. A Bill for 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 and the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 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. House Bill No. 354. A Bill for an Act for the Regulation of Motor Trucks, Trailers, Semi-Trailers, and Busses, Relative to Size and Weights of Vehicles and Loads, and to the Taxation and Licensing of Such Vehicles in Operation Upon the Highways of This State; and Amending and Re-enacting Sub-sections (c), (e) and (f) of Section 36, of Chapter 162 of the Session Laws of 1927, as Amended by Chapter 185, of the Session Laws of 1935, and Sub-sections (b) of Section 25, of Chapter 179, of the Session Laws of 1927, as Amended by Section 5, of Chapter 186 of the Session Laws of 1931; and Repealing Sub-section (c) of Section 25, of Chapter 179, of the 1927 Session Laws, as Amended by Chapter 180 of the Session Laws of 1935, and Sub-sections (d), (e), and (f), of Section 25, of Chapter 179, of the Session Laws of 1927; and Repealing All Other Acts or Parts of Acts in Conflict Herewith.

Which the Senate has indefinitely postponed.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 286. A Concurrent Resolution Relating to the Distribution of Money Obtained From the Sale of Public Lands and From Royalties on Minerals Contained Therein.

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

Which the Senate has passed and your favorable consideration is requested.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators C. P. Dahl, P. W. Blank, E. A. Hill,

Relative to:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee reports on:

House Bill No. 15. 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.

House Bill No. 16. 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.

House Bill No. 17. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphange of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor. House Bill No. 19. 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.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

WM. J. LOWE, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected with Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability 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, 30; nays, 6; absent and not voting, 13.

Those voting in the affirmative were:	
Aandahl Greiser	Morrison
Beaton Guenther	Nelson, McKenzie
Bilden Isaak	Olson, McHenry
Blank Kamrath	Raschko
Blaisdell Lavik	Skarvold
Brant Lemke	Streibel
Bridston Leum	Stucke
Braun Lian	Thatcher
Drew Magoffin	Topp
Flatt Morgan	Whelan
Those voting in the negative were:	
Hill Owings	Trout
Olson, Mountrail Thorson	Young
Absent and not voting:	
Aasen Gronvold	Troxel
Dahl Guthrie	Tweten
Fowler Holl	Watt
Fredrickson Nelson, Grand Fks. Gilbertson	Wog

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Senator Guthrie moved that the vote by which House Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President called Senator Raschko to the Chair.

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 2; absent and not voting, 15.

Those voting i	n the affirmative were:	
Aandahl	Guenther	Olson, Mountrail
Beaton	Isaak	Owings
Blank	Kamrath	Raschko
Blaisdell	Lavik	Skarvold
Brant	Leum	Streibel
Bridston	Lian	Thatcher
Dahl	Magoffin	Thorson
Drew	Morgan	Topp
Flatt	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	

Those voting in the negative were: Lemke Trout

Absent and not	moting monor	
Aasen	Greiser	Stucke
Bilden	Guthrie	Troxel
Braun	Hill	Tweten
Fowler	Holl	Watt
Fredrickson	Nelson, Grand Fks.	Young

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Blank 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.

MESSAGES FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 Con-trol 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

And the Speaker has appointed as conference committee on: House Bill No. 267—Representatives W. M. Crockett, A. O. Arneson and Leonas Meyers.

House Bill No. 274—Representatives C. P. Ritter, Robert T. Gray and Joseph Byrne.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 3. A Bill for an Act Making an Appro-

priation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

House Bill No. 43. 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.

MINNIE D. CRAIG, Chief Clerk.

The President resumed the Chair.

Senator Gilbertson moved that House Bill No. 174 be placed at the foot of the calendar, which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 274.

And the President appointed as such Committee Senators F. T. Gronvold, W. J. Braun and N. N. Nelson of Grand Forks.

SECOND READING OF HOUSE BILLS

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in	the affirmative were:	
Aandahl	Guthrie	Olson, McHenry
Beaton	Hill	Olson, Mountrail
Bilden	Isaak	Owings
Blank	Kamrath	Raschko
Blaisdell	Lavik	Skarvold
Brant	Lemke	Streibel
Bridston	Leum	Stucke
Dahl	Magoffin	Thatcher
Drew	Morgan	Thorson
Flatt	Morrison	Topp
Fredrickson	Nelson, Grand Fks.	Whelan
Gilbertson	Nelson, McKenzie	Young
Greiser		
Absent and not	voting:	
Aasen	Guenther	Troxel

Aasen	Guenther	Troxel
Braun	Holl	Tweten
Fowler	Lian	Watt
Gronvold	Trout	Wog

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Hill moved that the vote by which House Bill No. 390 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 267.

And the President appointed as such committee Senators Herman Thorson, G. F. Drew, and R. R. Morgan.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

Herman Thorson,

G. F. Drew,

R. R. Morgan.

Relative to:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

WM. J. LOWE, Secretary.

Senator Whelan moved that House Bill No. 105 be amended as follows:

In line 6 of the bill, strike out the figures "\$1,000" and insert the figures "\$500".

Senator Gilbertson made a substitute motion that the motion of Senator Whelan be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; 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, 36; nays, 6; absent and not voting, 7.

Those voting in the affirmative were:

Hill	Olson, Mountrail
Isaak	Owings
Kamrath	Raschko
Lavik	Skarvold
Lemke	Streibel
Leum	Stucke
Lian	Thatcher
Magoffin	Thorson
	Isaak Kamrath Lavik Lemke Leum Lian

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Dahl	Morgan	Topp
Drew	Morrison	Trout
Gilbertson	Nelson, McKenzie	Wog
Guthrie	Olson, McHenry	Young
Those voting in	the negative were:	
Flatt	Gronvold	Nelson, Grand Fks.
Fredrickson	Guenther	Whelan
Absent and not	voting:	
Aasen	Holl	Tweten
Fowler	Troxel	Watt
Greiser		

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the vote by which House Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bridston moved that the vote by which House Bill No. 185 was passed be reconsidered, which motion prevailed.

Senator Young moved that further consideration of House Bill No. 185 be indefinitely postponed, which motion prevailed.

Senator Young moved that the vote by which House Bill No. 185 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 362 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 362, have had the same under consideration and beg leave to report that the Senate recedes from its amendments.

For the House:
Franklin Page,
R. G. Beede,
Peter Moe.

Senator Leum moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Leum moved that the committee be discharged, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

WM. J. LOWE, Secretary.

Senator Leum moved that the rules be suspended and that House Bill No. 362 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Olson, McHenry
Beaton	Guenther	Olson, Mountrail
Bilden	Hill	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Topp
Flatt	Morgan	Trout
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Absent and not	voting:	
Aasen	Holl	Tweten
Fowler	Troxel	Watt
Guthrie		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators F. T. Gronvold, W. J. Braun and N. Nelson.

Relative to:

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Blaisdell moved that the Senate do now recess to the Call of the Chair, which motion prevailed, and the Senate stood recessed pursuant to the motion of Senator Blaisdell.

The Senate re-convened at the Call of the Chair.

The President announced that the Senate would be on the Fifteenth Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fourth Order of Business.

PETITIONS AND COMMUNICATIONS

The President announced receipt of an enrolled resolution from the Senate of Oklahoma memorializing Congress to enact adequate legislation providing for speedy deportation of all alien residents who do not signify their willingness, desire and intention to become citizens of the United States within a reasonable time after entry into the United States of America.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to said Institutions and the Sub-divisions Thereof.

Which the Senate has amended as follows:

In the re-engrossed bill:

In line 21 after the word "Act" strike out the "period" and insert a "comma", and add the following: "to each of the institutions hereinafter named out of the State Treasury as follows:

1. State University\$683,107.00

2. State Agricultural College\$386,971.40

3.	Agricultural College Experiment	1012-012-22
	Station	\$125,010.52
4.	Agricultural College Extension	
	Division	\$ 60,076.74
5.	School of Science	\$ 98,570.00
6.	Valley City Normal	\$241,791.33
7.		\$139,685.00
8.		\$229.048.00
9.	Dickinson Normal	\$158.969.00
10.	Ellendale Normal and Industria	1
	School	
11.		\$ 73.668.10
and out	of the Institutional interest and in	ncome, tuition fees
	ections the following sums to each	
as follo		
1.		\$248.870.00
2.		
3.		
		\$293,351.52
4.	Agricultural College Extension	
	Division	\$728 267 30
5.		
6.		\$ 80,000,00
7.	Mayville Normal	\$ 47 500 00
8.	Minot Normal	
9.		
10.		
10.	School	
11	School of Forestry	

11. School of Forestry\$ 20,000.00 and in addition thereto there is hereby appropriated to each of the institutions hereinafter named all other incidental income, collections and fees that such institutions may collect and receive, and such incidental income, collections and fees, shall be used by each institution for such miscellaneous purposes as may be necessary for the maintenance and operation of the institution.

In line 37 strike out the figures "\$38,780.00" and insert in lieu thereof the figures "\$42,200.00".

In line 39 strike out the figures "\$28,650.00" and insert in lieu thereof the figures "\$29,800.00".

In line 57 strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$8,196.00".

In line 58 strike out the figures "\$36,380.00" and insert in lieu thereof the figures "\$41,482.00".

In line 59 strike out the figures "\$80,000.00" and insert in lieu thereof the figures "\$88,000.00".

In line 62 strike out the figures "\$26,000.00" and insert in lieu thereof the figures "\$32,502.00".

In line 63 strike out the figures "\$861,677.00" and insert in lieu thereof the figures "\$888,547.00."

In line 65 strike out the figures "\$130,000.00" and insert in lieu thereof the figures "\$150,000.00".

In line 66 strike out the figures "\$14,000.00" and insert in lieu thereof the figures "\$16,870.00".

In line 68 strike out the figures "\$13,400.00" and insert in lieu thereof the figures "\$17,400.00".

In line 69 strike out the figures "\$222,000.00" and insert in lieu thereof the figures "\$248,870.00".

In line 78, strike out the figures "\$17,000.00" and insert in lieu thereof the figures "\$17,100.00."

In line 79, strike out the figures "\$18,000.00" and insert in lieu thereof the figures "\$21,500.00."

In line 81, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$6,500.00."

In line 84, strike out the figures "\$110,000.00" and insert in lieu thereof the figures "\$114,000.00."

In line 85, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$4,750.00."

In line 86, strike out the figures "\$63,000.00" and insert in lieu thereof the figures "\$66,100.00."

In line 87, strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$31,900.00."

In line 88, strike out the figures "\$35,788.00" and insert in lieu thereof the figures "\$38,000.00."

In line 89, strike out the figures "\$112,454.40" and insert in lieu thereof the figures "\$126,000.00."

In line 91, strike out the figures "\$14,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line 92, strike out the figures "\$19,000.00" and insert in lieu thereof the figures "\$20,000.00."

In line 93, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$4,045.00."

In line 96, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,304.00."

In line 98, strike out the figures "\$13,000.00" and insert in lieu thereof the figures "\$12,300.00."

Following line 101 insert a new line to read "Placement-Personnel" and insert the figures "\$4,000.00."

In line 103, strike out the figures "\$21,000.00" and insert in lieu thereof the figures "\$20,000.00."

In line 105, strike out the figures "\$8,000.00" and insert in lieu thereof the figures "\$7,700.00."

In line 106, strike out the figures "\$45,000.00" and insert in lieu thereof the figures "\$49,271.40."

In line 107, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$6,700.00."

Following line 109, insert a new line "Campus Police" and insert the figures "\$2,160.00."

Following the above line insert a new line to read "Student Help" and insert the figures "\$4,000.00."

Following the above line insert a new line to read "Girls' Dormitory" and insert the figures "\$10,970.68."

In line 110, strike out the figures "\$672,442.00" and insert in lieu thereof the figures "\$729,501.08."

In line 111, strike out the figures "\$369,000.00" and insert in lieu thereof the figures "\$434,370.68."

In line 112, strike out the figures "\$303,442.00" and insert in lieu thereof the figures "\$295,130.40.""

In line 114, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$6,000.00."

In line 117, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$3,000.00." Strike out all of line 119.

In line 120, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 122, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$4,000.00."

In line 123, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$2,400.00."

In line 124, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,500.00."

Following line 124, insert a new line "Geology" and insert the figures "\$700.00."

In line 125, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$1,100.00."

In line 126, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,500.00."

In line 127, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$491.00."

In line 128, strike out the figures "\$5,500.00" and insert in lieu thereof the figures "\$7,500.00."

In line 130, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$10,000.00."

In line 131, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$2,000.00."

Strike out all of line 132.

In line 134, strike out the figures "\$23,000.00" and insert in lieu thereof the figures "\$25,200.00."

Following line 136, insert a new line to read "Special assessment for Water Main" and insert the figures "\$3,000.00."

In line 137, strike out the figures "\$389,271.40" and insert in lieu thereof the figures "\$386,971.40."

In line 142, strike out the figures "\$143,925.17" and insert in lieu thereof the figures "\$164,134.42."

In line 143, strike out the figures "\$93,975.48" and insert in lieu thereof the figures "\$119,122.90."

In line 147, strike out the figures "\$253,900.65" and insert in lieu thereof the figures "\$299,257.32."

In line 148, strike out the figures "\$243,182.58" and insert in lieu thereof the figures "\$293,351.52."

In line 149, strike out the figures "\$10,718.07" and insert in lieu thereof the figures "\$5,905.80."

In line 151, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 158, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$5,000.00."

In line 159, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$2,000.00."

In line 160, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$1,900.00."

In line 161, strike out the figures "\$150.00" and insert in lieu thereof the figures "\$1,150.00."

In line 163, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$700.00."

In line 164, strike out the figures "\$1,100.00" and insert in lieu thereof the figures "\$5,100.00." Following line 164 insert the following lines:Special Economic Investigation in MarketingScientific SuppliesFeed Stuffs Experimental animalsFurnitureScientific Equipment8,162.12

In line 165, strike out the figures "\$63,468.07" and insert in lieu thereof the figures "\$99,510.52."

In line 172, strike out the figures "\$88,968.07" and insert in lieu thereof the figures "\$125,010.52."

In line 176, strike out the figures "\$420,324.18" and insert in lieu thereof the figures "\$443,571.38."

In line 177, strike out the figures "\$97,592.66" and insert in lieu thereof the figures "\$93,833.32."

In line 178, strike out the figures "\$51,095.86" and insert in lieu thereof the figures "\$50,550.00."

In line 179, strike out the figures "\$45,320.00" and insert in lieu thereof the figures "\$42,640.00."

In line 180, strike out the figures "\$46,090.00" and insert in lieu thereof the figures "\$75,020.00."

In line 181, strike out the figures "\$32,537.64" and insert in lieu thereof the figures "\$31,807.34."

In line 182, strike out the figures "\$21,306.96" and insert in lieu thereof the figures "\$21,262.00."

Following line 182 insert a new line to read "Neighborhood Activities in County Districts" and insert the figures "\$2,150.00."

Following the above line insert a new line to read "Rural Young People" and insert the figures "\$8,470.00."

In line 183 strike out the figure "\$2,520.00" and insert in lieu thereof the figure \$5,040.00".

In line 186 strike out the figure "\$730,787.30" and insert in lieu thereof the figure "\$788,344.04".

In line 188 strike out the figure "\$485,567.30" and insert in lieu thereof the figure \$483,067.30".

In line 192 strike out the figure "\$730,787.30" and insert in lieu thereof the figure "\$728,267.30".

Following line 192 insert a new line to read "NET MAIN-TENANCE" and insert the figure "\$60,076.74".

In line 237 strike out the figure "\$30,000.00" and insert in lieu thereof the figure "\$33,200.00".

In line 241 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$6,426.33".

In line 253 strike out the figure "\$290,815.00" and insert in lieu thereof the figure "\$295,441.33".

In line 255 strike out the figure "\$210,815.00" and insert in lieu thereof the figure "\$215,441.33".

In line 272 strike out the figure "\$237,165.00" and insert in lieu thereof the figure "\$241,791.33".

In line 275 strike out the figure "\$11,052.00" and insert in lieu thereof the figure "\$13,982.00".

In line 276 strike out the figure "\$98,840.00" and insert in lieu thereof the figure "\$99,747.00".

In line 283 strike out the figure "\$2,400.00" and insert in lieu thereof the figure "\$2,900.00".

In line 292 strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 293 strike out the figure "\$1,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 299 strike out the figure "\$165,448.00" and insert in lieu thereof the figure "\$170,785.00".

In line 301 strike out the figure "\$117,948.00" and insert in lieu thereof the figure "\$123,285.00".

Following line 319 insert a new line to read "Items not Budgeted" and insert the figure "\$200.00".

In line 320 strike out the figure "\$134,148.00" and insert in lieu thereof the figure "\$139,685.00".

In line 323 strike out the figure "\$17,383.00" and insert in lieu thereof the figure "\$19,000.00".

In line 325 strike out the figure "\$35,048.00" and insert in lieu thereof the figure "\$36,048.00".

In line 331 strike out the figure "\$1,150.00" and insert in lieu thereof the figure "\$1,400.00".

In line 338 strike out the figure "\$400.00" and insert in lieu thereof the figure "\$800.00".

Strike out all of line 339.

In line 346 strike out the figure \$276,931.00" and insert in lieu thereof the figure "\$279,798.00".

In line 349 strike out the figure "\$206,931.00" and insert in lieu thereof the figure "\$209,798.00".

In line 370 strike out the figure "\$226,181.00" and insert in lieu thereof the figure "\$229,048.00".

In line 420 strike out the figure "\$3,600.00" and insert in lieu thereof the figure "\$5,000.00".

In line 438 strike out the figure "\$117,926.00" and insert in lieu thereof the figure "\$119,326.00".

In line 440 strike out the figure "\$77,926.00" and insert in lieu thereof the figure "\$79,326.00".

In line 457 strike out the figure "\$92,676.00" and insert in lieu thereof the figure "\$94,076.00".

In line 464 strike out the figure "\$3,000.00" and insert in lieu thereof the figure "\$3,500.00".

In line 465 strike out the figure "\$1,200.00" and insert in lieu thereof the figure "\$1,400.00".

In line 475 strike out the figure "\$200.00" and insert in lieu thereof the figure "\$350.00".

In line 477 strike out the figure "\$15,000.00" and insert in lieu thereof the figure "\$21,000.00".

In line 479 strike out the figure "\$500.00" and insert in lieu thereof the figure "\$850.00".

In line 480 strike out the figure "\$80,168.10" and insert in lieu thereof the figure "\$87,368.10".

In line 481 strike out the figure "\$14,000.00" and insert in lieu thereof the figure "\$20,000.00".

In line 482 strike out the figure "\$66,168.10" and insert in lieu thereof the figure "\$67,368.10".

In line 498 strike out the figure \$72,468.10" and insert in lieu thereof the figure "\$73,668.10".

Renumber all lines in numerical order.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

Which the Senate has amended as follows:

In the title after the word "of" and before the word "indemnifying" insert the words "testing animals for Bovine Tuberculosis and," in line 4 after the word "of" and before the word "indemnifying" insert the words "testing animals for Bovine Tuberculosis and."

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Which the Senate has amended as follows:

In the re-engrossed bill:

In line 3, strike out the figures "\$242,515.00" and insert in lieu thereof the figures "\$277,256.00."

Strike out all of line 9 and all subsequent lines and insert in lieu thereof the following:

LABORATORIES:

LABORATORIES.	
Chemist Director\$	5,400.00
Chemists—Foods	19,700.00
Chemists-Drugs	9,550.00
Chemists—Cosmetics	4,350.00
Chemists—Beverages	10,130.00
Chemists-Feeds and Fertilizers	9,600.00
Bacteriologists and Microscopists	7,800.00
Chemists—Paint and Varnish	7,450.00
Laboratory Assistants-Oil	44,190.00
Incidental Helpers	10,080.00
OFFICE:	
Bookkeeper	3,600.00
Private Secretary	2,700.00
Clerk	2,430.00
3 Stenographers	6,750.00
2 Typists	3,840.00
FIELD:	
Representative-Supervisory	5,250.00
Representative—Drugs	4,350.00
2 Representatives—Oil and Feed	6,900.00
6 Representatives-Foods and Sanitation	20,700.00
TRAVEL:	
Mileage	21,000.00
Meals and Lodging	15,000.00
GENERAL EXPENSES:	
Samples	1,200.00
Rent	3,666.00
Telephone and Telegraph	600.00

7,000.00
1,800.00
13,000.00
12,600.00
12,000.00
620.00
4,000.00

TOTAL.....\$277,256.00

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

Which the Senate has 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 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 and Requiring the Filing of Final Budgets and Annual Tax Levies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

Section 3684a3. PRELIMINARY BUDGET STATE-MENT.) The council of each municipality shall make annually between July 1st and July 15th of each year on suitable blanks prescribed by the State Tax Commissioner an itemized statement (to be known as the Preliminary Budget Statement) of the amounts of money which, in the opinion of such council, shall be required for the proper maintenance, expansion or improvement of the municipality during the fiscal year and such other information relating to the finances of the municipality as the State Tax Commissioner may require.

SECTION 2. FILING OF FINAL BUDGETS AND AN-NUAL TAX LEVIES.) As soon as the governing board of any municipality subject to the provisions of Article 17a of Chapter 44 of the Political Code of the Supplement to the Compiled Laws of North Dakota for 1913 and acts amendatory thereof and supplementary thereto shall have completed the final budget and shall have adopted the annual tax levy, the auditor or clerk of said municipality shall immediately thereafter send two certified copies of the levy as adopted and two certified copies of the final budget to the county auditor. As soon as the county auditor has available the data showing the total assessed valuation of said municipality, he shall proceed to calculate the necessary tax rates to produce the sums called for in said final budget; provided, however, that if the county auditor shall find that any amount or amounts called for in the levy cannot be produced by a tax rate which is within the limits prescribed by statute, said auditor shall reduce the amount so that it can be produced by a tax rate which is within legal limits; and said auditor

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shall at once notify the council of the reductions so made by him. As soon as the county auditor shall have calculated the necessary tax rates to produce the sums called for in the said final budget or such reduced amount or amounts which can be produced by a tax rate which is within legal limits, he shall transmit one copy of said annual tax levy and said final budget to the State Tax Commissioner.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return: House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

Which the Senate has amended as follows:

In Subsection (c) of Section 1, in line 35 after the word "engaged" insert the following: "in operating or controlling a motor vehicle engaged".

In Section 2, in line 9 after the word "farmers" insert the following: "engaged in operating or controlling a motor vehicle engaged".

In Section 3, in line 10 after the second word "farmers" insert the following: "operating or controlling a motor vehicle".

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the Senate has amended as follows:

At the end of line 40 insert a new paragraph without number, as follows:

"The registration fee for the year in which any vehicle covered by this Act was purchased new from the dealer shall be the basic fee as above determined. There shall be a reduction of 10 per cent of the basic fee each year thereafter for 4 years, and 5 per cent each year after 4 years. A minimum fee shall be \$3.00; Provided, however, that any car which has reached a fee basis of \$3.00 under the existing law shall not be raised from that fee."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

WM. J. LOWE, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Concurrent Resolution No. 148 was delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

Senator Gilbertson moved that the Senate be on the Thirteenth Order of Business, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 7; absent and not voting, 15.

Those voting in the	affirmative were:	1
Aandahl	Fowler	Lemke
Aasen	Gilbertson	Leum
Beaton	Greiser	Magoffin
Bilden	Guenther	Nelson, McKenzie
Blank	Guthrie	Olson, McHenry
Blaisdell	Holl	Raschko
Brant	Isaak	Trout
Bridston	Kamrath	Whelan
Dahl	Lavik	Wog
Those voting in the	negative were:	
Hill	Skarvold	Stucke
Olson, Mountrail	Streibel	Tweten
Owings		
Absent and not vot	ing:	
Braun	Lian	Thorson
Drew	Morgan	Topp
Flatt	Morrison	Troxel
Fredrickson	Nelson, Grand Fks.	Watt
Gronvold	Thatcher	Young

So the bill passed and the title was agreed to. Senator Blaisdell moved that the vote by which House Bill No. 45 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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. Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Sub-division (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143, of the Session Laws of North Dakota for 1933, Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency. Senate Bill No. 41. A Bill for an Act Declaring All Tax

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, Which is an Act Making an Appropriation to Be Expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively, State of North Dakota, to Williams and Barnes Counties to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 243 of the Session Laws of North Dakota for 1937, 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada. Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

.Senate Bill No. 205. A Bill for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

Which the Senate has amended as follows:

In Section 8, Line 2, after the word "Treasury" insert "in the Bee Fund."

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

Which the Senate has amended as follows:

In line 1 of the title after the word "Dakota," add the following: "four per cent (4%) of".

In line 9 after the word "Dakota" add the words "four per cent (4%) of".

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected with Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

WM. J. LOWE, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Concurrent Resolution No. 148 was delivered to the Secretary of State on March 3, 1939.

W. J. TROUT, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Concurrent Resolution No. 25 was delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

Senator Fowler moved that the Conference Committee Report on House Bill No. 175 be laid before the Senate, which motion prevailed.

Senator Fowler moved that the report of the Conference Committee on House Bill No. 175 be adopted, which motion prevailed.

Senator Fowler moved that House Bill No. 175 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing 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, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative v	were:	
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Those voting in the	allinative were.	
Aandahl	Greiser	Nelson, McKenzie
Aasen	Guenther	Olson, McHenry
Beaton	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Stucke
Dahl	Lemke	Trout
Flatt	Leum	Tweten

Fowler	Magoffin	Whelan	
Gilbertson	Morrison	Wog	
Absent and no	t voting:		
Braun	Morgan	Topp	
Drew	Nelson, Grand Fks.	Troxel	

Drew	Nelson, Grand Fks.	Troxel
Fredrickson	Thatcher	Watt
Gronvold	Thorson	Young
Lian		

So the bill passed and the title was agreed to. Senator Fowler moved that the vote by which House Bill No. 175 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 163 of the Session Laws of the State of North Dakota for the Year 1929, Being an Act to Require Persons Convicted of Reckless Driving, or of Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs, or of Failure to Stop in Event of an Accident Involving Injury or Death to a Person, to Furnish a Bond or Insurance Policy; Providing for the Enforcement of Such Act; and Providing a Penalty for the Violation Thereof.

Senate Bill No. 242. A Bill for an Act to Re-establish the North Dakota Mill and Elevator Association and Define Its Powers and Duties; to Provide for the Establishment of a North Dakota Board of Industrial Management, Define Its Powers and Duties in Respect to the Management, Operation and Control of the Properties and Businesses of the North Dakota Mill and Elevator Association, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 7971 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Against Usurping Officers and Persons.

Senate Bill No. 213. A Bill for an Act to Amend and Re-enact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cos-metologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Senate Bill No. 197. 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.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee reports on: House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the Department of Public Health.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alco-holic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene. MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to:

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

And the Speaker has appointed as a Conference Committee, House Members:

J. M. Anderson of Benson, W. M. Crockett and K. A. Fitch. MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the Speaker has appointed as a Conference Committee, House Members:

H. A. Kluver, E. Symington and C. P. Ritter.

MINNIE D. CRAIG, Chief Clerk.

Senator Guthrie moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 38.

And the President appointed as such Committee, Senators E. C. Stucke, Herman Thorson and Ed Lian.

Senator Guthrie moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 279.

And the President appointed as such Committee Senators J. C. Blaisdell, Thomas Whelan and Oliver Bilden.

Senator Aandahl moved that the vote by which House Bill No. 377 was passed be reconsidered, which motion prevailed.

Senator Aandahl moved that House Bill No. 377 be amended as follows:

In line 5, Section 6, strike out the word "general" and insert the word "bee" in lieu of, which motion prevailed.

Senator Aandahl moved that the rules be suspended and that House Bill No. 377 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Aandahl	the affirmative were: Guenther	Morrison
Aasen	Guthrie	Nelson, McKenzie
	Hill	Olson, McHenry
Beaton	Holl	
Bilden	22.2.2.2	Olson, Mountrail
Blank	Isaak	Owings
Blaisdell	Kamrath	Raschko
Brant	Lavik	Skarvold
Bridston	Lemke	Streibel
Dahl	Leum	Stucke
Flatt	Lian	Tweten
Gilbertson	Magoffin	Wog
Absent and not	voting:	
Braun	Morgan	Trout
Drew	Nelson, Grand Fks.	Troxel
Fowler	Thatcher	Watt
Fredrickson	Thorson	Whelan
Greiser	Topp	Young
Gronvold		

So the bill passed and the title was agreed to.

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MESSAGES TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators E. C. Stucke, Herman Thorson and Ed Lian.

Relative to:

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senators J. C. Blaisdell, Thomas Whelan and Oliver Bilden. Relative to:

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee Report on:

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency. House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corportions, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163a1 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

Which the Speaker has signed and your signature is requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of

Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a13, 8247a14, 8247a15, 8247a16, 8247a17, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a18. 8247a24, 8247a26, 8247a47, 8247a51, 8247a52, 8247a53, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

House Bill No. 13. 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.

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Sixty-five Per Cent of the Freeholders or Livestock Owners in Such Counties, and Declaring an Emergency.

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 286. A Concurrent Resolution Relating to the Distribution of Money Obtained From the Sale of Public Lands and From Royalties on Minerals Contained Therein.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1938, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof and Repealing All Acts in Conflict Herewith.

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

House Bill No. 24. 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. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

House Bill No. 6. 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.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

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Mr. President: I have the honor to return:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, Relating to Park District Tax Levies.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913. Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property as Such Terms Are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House refuses to return:

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof, and Repealing All Acts in Conflict Herewith.

For the reason the same has been already enrolled and signed by the Speaker.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Which the Senate has amended as follows:

In the re-engrossed bill:

In line 3 strike out the figures "\$133,920.00" and insert in lieu thereof the figures "\$134,524.00."

In line 10 strike out the figures "\$3,600.00" and insert in lieu thereof the figures "\$4,000.00."

In line 11 strike out the figures "\$3,360.00" and insert in lieu thereof the figures "\$3,600.00." In line 13 strike out the figures "\$2,160.00" and insert in lieu thereof the figures "\$2,400.00."

Strike out all of line 25.

In line 33 strike out the figures "\$133,920.00" and insert in lieu thereof the figures "\$134,524.00."

WM. J. LOWE, Secretary.

Senator Fredrickson moved that the Senate do concur in the House amendments to Senate Bill No. 82, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and Senate Bill No. 82 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

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, 0; absent and not voting, 10.

he affirmative were:	
Gronvold	Owings
Guthrie	Raschko
Hill	Skarvold
Holl	Streibel
Isaak	Stucke
Kamrath	Thatcher
Lemke	Thorson
Leum	Торр
Lian	Trout
Morrison	Tweten
Nelson, McKenzie	Whelan
	Wog
Olson, Mountrail	Young
oting:	
Lavik	Nelson, Grand Fks.
Magoffin	Troxel
Morgan	Watt
	Guthrie Hill Holl Isaak Kamrath Lemke Leum Lian Morrison Nelson, McKenzie Olson, McHenry Olson, Mountrail oting: Lavik Magoffin

So the bill passed and the title was agreed to.

Senator Whelan moved that the Senate do concur in the House amendments to Senate Bill No. 281, which motion prevailed.

Senator Whelan moved that the rules be suspended and Senate Bill No. 281 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Was read the second time.

Guenther

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the	affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blaisdell	Isaak	Stucke
Brant	Kamrath	Thatcher
Bridston	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Morgan	Tweten
Flatt	Nelson, McKenzie	Whelan
Fowler	Olson, McHenry	Wog
Fredrickson	Olson, Mountrail	Young
Gilbertson		

Absent and not voting: B

Blank	Lavik	Nelson, Grand Fks.
Greiser	Magoffin	Troxel
Guenther	Morrison	Watt

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the Senate do concur in the House amendments to Senate Bill No. 258, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and Senate Bill No. 258 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Sus-pension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in	the affirmative were:	
Aandahl	Gronvold	Owings
Aasen	Guthrie	Raschko
Beaton	Hill	Skarvold
Bilden	Holl	Streibel
Blank	Isaak	Stucke
Blaisdell	Kamrath	Thatcher

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Brant	Lemke	Thorson
Braun	Leum	Topp
Dahl	Lian	Trout
Drew	Morgan	Tweten
Flatt	Morrison	Whelan
Fowler	Nelson, McKenzie	Wog
Fredrickson	Olson, McHenry	Young
Gilbertson	Olson, Mountrail	

Absent and not voting:

Bridston	Lavik	Troxel
Greiser	Magoffin	Watt
Guenther	Nelson, Grand Fks.	

So the bill passed, the title was agreed to and the emergency clause was declared carried.

Senator Fowler moved that the Senate do not concur in the House amendments to Senate Bill No. 26, which motion prevailed.

Senator Fowler moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 26.

And the President appointed as such committee, Senators: A. W. Fowler

W. J. Braun

C. S. Aasen

Senator Whelan moved that the vote by which House Bill No. 285 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Fowler moved that the Senate request the House to return House Bill No. 285, which motion prevailed.

Senator Fredrickson moved that the Senate do not concur in the House amendments to Senate Bill No. 159, which motion prevailed.

Senator Fredrickson moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 159.

And the President appointed as such committee, Senators: James W. Guthrie

Wm. A. Thatcher and

F. J. Fredrickson.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 279 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 279, have had the same under consideration and beg leave to report that the Senate has agreed to recede to that part of their amendment which reads as follows:

"The registration fee for the year in which any vehicle covered by this Act was purchased new from the dealer shall be the basic fee as above determined. There shall be a reduction of 10% of the basic fee each year thereafter for four years, and 5% each year after four years. A minimum fee shall be \$3.00; provided, however that any car which has reached a fee basic of \$3.00 under the existing law shall not be raised from that fee."

And this committee hereby concurs to the following amendments as made by the Senate:

In line 22, after the word "agreements," insert the words "not contrary to any provisions of this Act." Insert a Section 2 as follows: "Section 2. REPEAL.)

Insert a Section 2 as follows: "Section 2. REPEAL.) And repealing all Acts and parts of Acts in conflict herewith."

This committee also recommends the following amendment: After the word "Herewith" in the last line of the title of the bill change the period to a comma and insert the word "Emergency."

Insert a 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."

For the Senate:

For the House:

J. C. Blaisdell O. E. Bilden E. Symington C. P. Ritter

T. E. Whelan

H. A. Kluver

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Whelan moved that the Committee be discharged, which motion prevailed.

Senator Blaisdell moved that the rules be suspened and that House Bill No. 279 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl Aasen	Gronvold Guthrie	Olson, McHenry Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko

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Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Braun	Lemke	Thatcher
Dahl	Leum	Thorson
Drew	Lian	Topp
Flatt	Magoffin	Trout
Fowler	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Absent and not	voting:	

Bridston Troxel Watt Guenther

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 194, have had the same under consideration and recommend that the House adopt the Senate amendments as printed in the Journal of the Senate on Pages 676, 677, 678 and 679 with the exception of line 27a after the word "interest," insert the following: "at the rate of 4% per annum from April 1, 1939," and in Section 2, lines 13, 13a and 14 of the Senate amendment as printed in the Journal, strike out the words "his property located within said County," and insert the words "the property described in said contract."

For the Senate:

Fred Fredrickson Andrew Skarvold Gust Tweten For the House: Franklin Page C. H. Hofstrand Nels Jensen

Senator Fredrickson moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Fredrickson moved that the committee be discharged, which motion prevailed.

Senator Fredrickson moved that the Senate do concur in the House amendments to House Bill No. 194, which motion prevailed.

Senator Fredrickson moved that the rules be suspended and House Bill No. 194 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Greiser	Nelson, McKenzie
Aasen	Gronvold	Olson, McHenry
Beaton	Guthrie	Owings
Bilden	Hill	Raschko
Blank	Holl	Skarvold
Blaisdell	Isaak	Streibel
Brant	Kamrath	Stucke
Bridston	Lavik	Thatcher
Braun	Lemke	Thorson
Dahl	Leum	Topp
Drew	Lian	Trout
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Gilbertson	Nelson, Grand Fks.	Young
Absent and not vot	ting were:	

Guenther Troxel Watt Olson, Mountrail

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Whelan moved that the vote by which House Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 38, have had the same under consideration and recommend:

The Senate recedes from its amendment to line 10, page 1 of the printed bill by striking out the word "chemist" in said amendment, reinstating the line to read "Director— \$5,400.00."

The House concurs in remaining Senate amendments to the bill

For the Senate:	For the House:
Ed. Lian	J. M. Anderson
E. C. Stucke	K. A. Fitch
Herman Thorson	W. M. Crockett

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the Committee be discharged, which motion prevailed.

Senator Lian moved that the Senate do concur in the House amendments to House Bill No. 38, which motion prevailed.

Senator Lian moved that the rules be suspended and House Bill No. 38 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

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ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the		and the state of the
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Bilden	Isaak	Skarvold
Blank	Kamrath	Streibel
Blaisdell	Lavik	Stucke
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Topp
Dahl	Magoffin	Trout
Drew	Morgan	Tweten
Flatt	Morrison	Whelan
Fowler	Nelson, Grand Fks.	Wog
Fredrickson	Nelson, McKenzie	Young
Gronvold	Olson, McHenry	

Absent and no	t voting were:	
Gilbertson	Guenther	Watt
Greiser	Troxel	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Stucke moved that the vote by which House Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the storage, use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

And the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

A. W. Fowler W. J. Braun

C. S. Aasen.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Adminis-trative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

James W. Guthrie

Wm. A. Thatcher F. J. Fredrickson.

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 8, have had the same under consideration and recommend:

That the Senate recede from its amendment to House Bill No. 8 and further amend the bill in Section 1, line 3, by striking out the figures "\$13,990" and inserting in lieu thereof the figures "\$14,270." Also in line 10 following the word "stenographer" add the

following: "and museum attendant."

In line 10 strike out the figures "\$1,920" and insert in lieu thereof the figures "\$2,200."

Strike out all of line 12,

Line 22, strike out the figures "\$13,990" and insert in lieu thereof the figures "\$14,270."

Re-number lines accordingly.

For the	Senate:	For	the	House	

M. R. Young	Robert Rait
Henry Leum	Targie Trydahl
B. W. Lemke	Bernt Anderson of McKenzie.

B. W. Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Committee be discharged, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to House Bill No. 8, which motion prevailed.

Senator Young moved that the rules be suspended and House Bill No. 8 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, 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, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

	Those voting	in the	affirmative '	were:		
	Aandahl		Gronvold		Olson,	McHenry
•	Aasen		Guthrie		Olson,	Mountrail

Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson	Nelson, McKenzie	Young
Absent and not	voting:	
Greiser	Troxel	Watt

Guenther

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 32, have had the same under consideration and beg leave to report that the House does not concur in the Senate amendments and recommend the following amendments:

In line 4 of the engrossed bill strike out the figure "\$119,-000.00" and insert in lieu thereof "\$111,000.00". In line 29 strike out "\$7,500.00" and insert "\$4,200.00". In line 30 strike out "\$55,000.00" and insert "\$30,000.00".

Add line 30a as follows: "Construction Bond Guarantee Fund "\$50,000.00".

In line 32 strike out "\$5,000.00" and insert "\$4,000.00". In line 35 strike out "12,000.00" and insert "7,000.00". Strike out all of lines 36, 37, 38, 39, 40, 41, and 42. In line 43 strike out "3,000.00" and insert "1,000.00". In line 44 strike out "2,000.00" and insert "500.00". In line 46 strike out "1,000.00" and insert "500.00". In line 40 strike out "1,000.00" and insert "500.00". In line 47 strike out "2,000.00" and insert "1,600.00". In line 51 strike out "5,000.00" and insert "3,000.00". In line 52 strike out "4,000.00" and insert "1,000.00". In line 55 strike out "3,000.00" and insert "1,000.00". In line 59 strike out "7,000.00" and insert "5,600.00". In line 62 strike out "2,000.00" and insert "1,600.00". In line 63 strike out "\$119,000.00" and insert "\$111,000.00". For the House: For the Senate: Wm. J. Braun, Jos. Byrne, Milton Young, Robt. T. Gray, Wm. Thatcher. C. P. Ritter.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Braun moved that the committee be discharged, which motion prevailed.

Senator Braun moved that the Senate do concur in the

House amendments to House Bill No. 32, which motion prevailed.

Senator Braun moved that the rules be suspended and House Bill No. 32 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those v	oting i	n the	affirmative	were:
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Aandahl	Gronvold	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Topp
Drew	Magoffin	Trout
Flatt	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Absent and not	voting:	

Fowler Troxel Watt Guenther

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

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And the Speaker has appointed as a Conference Committee, House members:

For House Bill No. 45— A. Dalzell, Leonas Myers, E. C. Stone. For House Bill No. 390— J. M. Joiner, William Ireland, Joseph N. Mollet.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee, House Members:

Nels P. Jensen Bernt Anderson of McKenzie W. H. Shure.

Relative to:

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

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Joseph Byrne K. A. Fitch. Robert T. Gray Relative to:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Report on:

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

MINNIE D. CRAIG, Chief Clerk.

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. 8. 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 has appointed as a New Conference Committee, House Members:

Calvin Schimke

Arthur C. Johnson of Cass

George H. Lange.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement, and Providing for Validity.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee Report on:

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the State Historical Society.

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement, and Providing for Validity.

WM. J. LOWE, Secretary.

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The President announced that the Senate would be on the Fifteenth Order of Business.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 61.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 163.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 6. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1933, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof, and Repealing All Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Nonregistered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefore.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 24. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a13, 8247a14, 8247a12, 8247a15, 8247a16, 8247a17, 8247a18, 8247a20, 8247a21a, 8247a23, 8247a19, 8247a24. 8247a26, 8247a51, 8247a47, 8247a52, 8247a53, 8247a56, 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 13. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

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And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House of Representatives, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed a new Conference Committee, House Members:

K. L. Boulden

W. H. Shure

John N. McIntyre.

Relative to:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Which the Senate has requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee, House Members:

Calvin Schimke

Bernt Anderson of McKenzie

K. A. Fitch.

Relative to:

Senate Bill No. 265. A Bill for an Act Providing That the Emergency Commission Created and Established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota Shall Pass Upon All Expenditures From the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 8.

And the President appointed as such Committee Senators: Wm. A. Thatcher

F. T. Gronvold

Henry Leum.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 267.

And the President appointed as such Committee Senators: Herman Thorson

G. F. Drew

R. R. Morgan

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 45.

And the President appointed as such committee, Senators:

J. C. Blaisdell,

N. N. Nelson of Grand Forks

W. J. Braun.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 390.

And the President appointed as such committee, Senators: R. A. Owings

G. Isaak

K. Holl.

MESSAGES TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payment in Lieu of Taxes on Land Acquired in This State by Various Departments, Bureaus and Agencies of the Government, and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

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House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Provision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

House Bill No. 24. 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. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Non-registered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof, and Repealing All Acts in Conflict Herewith.

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1938, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency. House Bill No. 6. 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.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators:

J. C. Blaisdell

N. N. Nelson

W. J. Braun.

Relative to:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

R. A. Owings

G. Isaak

K. Holl.

Relative to:

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators:

Wm. A. Thatcher

F. T. Gronvold

Henry Leum

Relative to:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the State Historical Society.

WM. J. LOWE, Secretary.

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Mr. Speaker: I have the honor to return:

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the

Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a17, 8247a13, 8247a14, 8247a15, 8247a16, 8247a18, 8247a19, 8247a20, 8247a21a, 8247a23, 8247a24, 8247a26, 8247a47, 8247a51, 8247a53, 8247a52, 8247a56. 8247a57, 8247a59, 8247a60, 8247a61, 8247a63, 8247a64, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

House Bill No. 13. 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.

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency.

House Bill No. 61. A Bill for an Act Relating to the Ap-

plication of the Bang's Test in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Sixty-five Per Cent of the Freeholders or Livestock Owners in Such Counties, and Declaring an Emergency.

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163a1 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931, Pertaining to Examination of Building and Loan Associations.

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Which the President has signed.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Fowler moved that the Senate recess subject to the Call of the Chair, which motion prevailed, and the Senate stood recessed.

WM. J. LOWE, Secretary.

The Senate convened at the Call of the Chair, pursuant to recess.

The President announced that the Senate would be on the 6th Order of Business.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 40, have had the same under consideration and recommend that the House recede from its amendments to said bill.

That the title be amended as follows: In line 13 (next to last line of title) after the word "Act" insert a "comma" and the words "and providing that the act shall not be applicable in certain cases set forth in this Act". For the Senate:

T. E. Whelan, Fred J. Fredrickson,

Ben. Gilbertson.

For the House: Franklin Page, N. P. Jensen, W. M. Crockett.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Which the House has amended as follows:

Section 1, line 3, strike out the figures "\$4,140,000.00" and insert in lieu thereof the figures "\$5,664,000.00."

Section 1, line 16, strike out the figures "\$4,000,000.00" and insert in lieu thereof the figures "\$5,524,000.00."

Section 1, line 17, strike out the figures "\$4,140,000.00" and insert in lieu thereof the figures "\$5,664,000.00."

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has requested the return of:

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Also,

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

For the Speaker to sign:

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that the Senate accede to the request of the House for the return of Senate Bill No. 213, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 40. 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

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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.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to accept the Report of the Conference Committee on:

Senate Bill No. 40. 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 has appointed a new Conference Committee to act with a like committee from the Senate, Representatives:

Leonas Myers,

J. M. Anderson of Benson,

G. P. Braun of Stark.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 274, have had the same under consideration and recommend the following amendments:

In Section 3 of the printed, and also of the engrossed bill, after the word "Commission" appearing at the beginning of line 2, strike out the balance of the section and in lieu thereof insert the following:

"There is hereby created a commission to be known as the "State Water Conservation Commission." The Commission shall consist of the Governor and four 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 judicial procedure. In case of vacancy the vacancy shall be filled by appointment by the Governor. The Governor shall appoint one member for a term of six years; one member for a term of four years and two members for a term of two years, ending July 1, 1945, 1943 and 1941, respectively. Thereafter each new member shall be appointed and serve for a period 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, line 19, of the engrossed bill, strike out the word "four" and insert in lieu thereof the word "three."

Section 7, line 14, of the engrossed bill, after the period and beginning with the word "in," strike out the remainder of the Section.

Section 8, line 128 of the engrossed bill, after the word "lands," strike out the following words "which in the aggregate shall not exceed 120 acres."

Section 9, line 8 of the engrossed bill, strike out the words "to the State Engineer" and insert in lieu thereof the following words "to its chief engineer."

Section 9, line 9, of the engrossed bill, strike out the words "State Engineer" and insert in lieu theref the word "Commission."

Section 21, line 82 of the engrossed bill, after the word "and," strike out the balance of the section and insert in lieu thereof the following: "Provided further, that for the biennial period ending June 30, 1941, the Commission shall not thus pledge, hypothecate or place under trust indenture, or agree to pledge, hypothecate or to place under trust indenture, an aggregate amount in excess of fifty thousand dollars, and provided further, that any agreement to thus pledge, hypothecate, or place under trust indenture any amount in excess of fifty thousand dollars shall be, and is hereby declared null and void, provided, however, that the appropriation or use of said fifty thousand dollars shall not be construed to be the pledging of the credit of the State of North Dakota nor the guaranteeing of any bonds issued hereunder."

For the Senate: W. J. Braun

F. T. Gronvold.

N. N. Nelson

For the House: Jos. D. Byrne Robert Gray C. P. Ritter.

Senator Gronvold moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 140, have had the same under consideration and recommend:

On page 2, Section 1, line 6, of the amended bill strike out the figures "\$940,000" and insert in lieu thereof the figures "\$1,040,000".

On page 2, Section 3, line 26, of the amended bill strike out the figures "\$800,000" and insert in lieu thereof the figures "\$907,000".

On page 3, Section 5, line 36, of the amended bill strike out the figures "\$20,000" and insert in lieu thereof the figures "\$23,000".

On page 3, Section 7, line 49, of the amended bill strike out

the figures "\$940,000" and insert in lieu thereof the figures "\$1,040,000".

And do concur on the balance of the House amendments.

For the House:
R. G. Beede,
Geo. H. Saumur,
Bernt Anderson, McKenzie.

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Sentor Watt moved that action be delayed on the House amendments to Senate Bill No. 239, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 267, have had the same under consideration and recommend that the Senate recede from its amendments.

For the Senate:	For the House:
Herman Thorson,	K. L. Boulden,
G. F. Drew,	W. H. Shure,
R. R. Morgan.	John McIntyre.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred House Bill No. 8, have had the same under consideration and recommend:

Change line 10 to read as follows: "Secretary-Stenographer and Museum Assistant", and in same line change "\$1,920.00" to "\$2,200.00".

And the Senate recedes from its amendment in line 12 of the printed bill.

For the Senate:	For the House:	
Wm. A. Thatcher,	Calvin Schimke,	
Henry Leum,	George H. Lange,	
F. T. Gronvold.	Arthur E. Johnson.	

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to accept the report of the Conference Committee on:

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than Cne-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

And the Speaker has appointed a new Conference Committee to act with a like committee from the Senate, Representatives:

Calvin Schimke

A. R. Bergesen

Carl H. Dittmer.

MINNIE D. CRAIG, Chief Clerk.

Senator Gilbertson moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 277.

And the President appointed as such committee, Senators: A. W. Fowler

Ben Gilbertson

P. W. Blank.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Senate Bill No. 258

Senate Bill No. 82

Senate Bill No. 281

Senate Concurrent Resolution No. 287

Senate Bill No. 131

Senate Bill No. 275, and

Senate Bill No. 215.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 390, have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title, after the word "Dakota," change the words and figures "four per cent (4%)" to "five per cent (5%)."

In line 9, after the word "Dakota," change the words and figures "four per cent (4%)" to "five per cent (5%)."

For the Senate:	For the House:
R. A. Owings	J. M. Joiner
Kristian Holl	Wm. Ireland.
Gottlieb Isaak.	

Senator Owings moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on:

House Bill No. 274. 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 Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 kevenue 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; Froviding 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160 of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing all Acts and Parts of Acts in Conflict Herewith. House Bill No. 36. 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.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Senator Fowler moved that the Senate reconsider their action on the Conference Committee report on Senate Bill No. 40, which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has accepted the Conference Committee report on:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 265, have had the same under consideration and fail to agree on the House amendments and ask to be discharged and that a new Conference Committee be appointed.

For the Senate: R. A. Owings Fred G. Aandahl Gust Wog. For the House: Calvin Schimke Bernt Anderson (McKenzie) K. A. Fitch.

Senator Owings moved that the report be adopted.

Senator Fowler made a substitute motion that action on the report of the Conference Committee on Senate Bill No. 265 be delayed for a time, which motion prevailed.

Senator Whelan moved that the Senate do not concur in the

House amendments to Senate Bill No. 226, which motion prevailed.

Senator Whelan moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 226.

And the President appointed as such committee, Senators: Herman Thorson

E. Magoffin

J. L. Flatt.

MESSAGE TO THE HOUSE

Senate Chamber. Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 274. 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 Nav-igable or Non-navigable Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

And the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

Herman Thorson

E. Magoffin

J. L. Flatt.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has accepted the reports of the Conference Committee on:

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has passed unchanged.

Mr. President: I have the honor to return:

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929, Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Senate Bill No. 69. A Bill for an Act to Amend and Reenact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith. Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the

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Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Subdivision (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143 of the Session Laws of North Dakota for 1933. Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

Senate Bill No. 249. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, which is an Act Making an Appropriation to be expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Senate Bill No. 205. A Bill for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor.

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 243 of the Session Laws of North Dakota for 1937, 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively, State of North Dakota, to Williams and Barnes Counties, to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Senate Bill No. 246. A Bill for an Act Exempting Employes. Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate. Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Para-graph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

Which the Speaker has signed.

Mr. President: I have the honor to transmit:

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

House Bill No.' 43. 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.

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 341. A Bill For an Act Assessing and Levying From April 1, 1939 to July 1, 1941 on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund For Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926, and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and For Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

House Bill No. 17. 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.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 19. 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.

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160 of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing all Acts and Parts of Acts in Conflict Herewith. House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

House Bill No. 15. 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.

House Bill No. 16. 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.

House Bill No. 160. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected With Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for Penalties for the Violation Thereof; and Declaring an Emergency.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

House Concurrent Resolution No. 404. A Concurrent

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Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to complete the Index Senate and House Journals of the Session, and Providing Compensation Therefor.

House Concurrent Resolution No. 406. Providing for Employment and Compensation to Complete Final Record of All Bills of the 26th Legislative Session.

House Concurrent Resolution 405. Providing for Continued Employment and Compensation Thereof to Complete Records of Present Legislative Session.

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to said Institutions and the Sub-divisions Thereof.

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the Department of Public Health.

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Senator Guthrie moved that the action by which House Bill No. 285 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Guthrie moved that House Bill No. 285 be placed on the calendar, which motion prevailed.

Senator Guthrie moved the following amendments to House Bill No. 285:

On the first page of the bill, line 8, after the word "appropriation," insert the following:

"Provided, however, that in designating such system there shall be transferred from the present primary state highway system approximately 2,000 miles which are low in standard of improvement and traffic service and which will be released from maintenance agreement or agreements with the Federal Government; provided, further, that no mileage on the present primary state highway system shall be placed on feeder road system without the consent of the Board of County Commissioners of the County in which the road lies." Which motion prevailed.

Senator Guthrie moved that the rules be suspended and House Bill No. 285 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding An Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in t	the affirmative were:	
Aandahl	Greiser	Nelson, Grand Fks.
Aasen	Gronvold	Nelson, McKenzie
Beaton	Guenther	Olson, McHenry
Bilden	Guthrie	Olson, Mountrail
Blank	Hill	Owings
Blaisdell	Holl	Raschko
Brant	Isaak	Skarvold
Bridston	Kamrath	Streibel
Braun	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Trout
Flatt	Lian	Tweten
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Wog
Gilbertson	Morrison	Young

Those voting in the negative were: Thorson Watt

Absent and not voting: Topp Troxel

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

Palmer Levin,

W. H. Shure,

R. G. Beede.

Relative to:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops

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to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict, and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding An Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Which the Senate has amended as follows:

"Provided, however, that in designating such system there shall be transferred from the present primary state highway system approximately 2,000 miles which are low in standard of improvement and traffic service and which will be released from maintenance agreement or agreements with the Federal Government; provided, further, that no mileage on the present primary state highway system shall be placed on feeder road system without the consent of the Board of County Commissioners of the County in which the road lies".

WM. J. LOWE, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; and Declaring an Emergency.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, 'Quit Claim Deed or Otherwise; Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Thatcher moved that the rules be suspended and House Bill No. 8 be placed on Second Reading and Final Passage, as amended by the Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, 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, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aandahl	Holl	Olson, Mountrail
Aasen	Isaak	Owings
Blaisdell	Kamrath	Raschko

FRIDAY, MARCH 3, 1939

Brant	Lavik	Skarvold
Bridston	Lemke	Streibel
Braun	Leum	Stucke
Dahl	Lian	Thatcher
Drew	Magoffin	Thorson
Flatt	Morgan	Trout
Fredrickson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Watt
Guenther	Nelson, McKenzie	Wog
Guthrie	Olson, McHenry	Young
Hill		

Absent and not voting:

Beaton	Fowler	Topp
Bilden	Gilbertson	Troxel
Blank	Gronvold	Whelan
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So the bill passed and the title was agreed to.

Senator Bridston requested that the rules be suspended, which request was granted.

Senator Bridston: Mr. President, I would like to rise to a point of personal privilege.

During the debate Friday on House Bill No. 341 on the one percent gasoline tax increase, a statement I made in reference to the Attorney General's opinion involving the constitutionality of the bill, has been misinterpreted. Due possibly to an unfortunate choice of words my remarks may have seemed as a reflection, not only on the sincerity of the opinion rendered but on the Attorney General personally.

My intent was to criticize the introduction into the debate at such a late hour any legal opinion that might influence the Senate vote. I did not intend in any way to make any statement reflecting on either the Attorney General or the Attorney General's office. I wish to retract any statement I may have made that would give this impression.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Which the House has requested.

WM. J. LOWE, Secretary.

Senator Owings moved that the rules be suspended and that House Bill No. 390 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; 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, 0; absent and not voting, 10.

	the affirmative were:	
Aandahl	Hill	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold
Bridston	Kamrath	Streibel
Braun	Lemke	Stucke
Dahl	Leum	Thatcher
Drew	Magoffin	Thorson
Flatt	Morgan	Trout
Fredrickson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Whelan
Guenther	Olson, McHenry	Wog
Guthrie	Olson, Mountrail	Young

Absent and not voting were:BildenFowlerBlankGilbertsonBlaisdellLavikBrant

So the bill passed and the title was agreed to. And the Emergency Clause was declared carried.

Senator Gronvold moved that the rules be suspended and House Bill No. 274 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing

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the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 Con-cerning 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing 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, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Aandahl	Guenther	Olson, McHenry
Aasen	Guthrie	Olson, Mountrail
Bilden	Hill	Owings
Blank	Holl	Raschko
Blaisdell	Isaak	Skarvold
Bridston	Kamrath	Stucke
Braun	Lavik	Thatcher
Dahl	Lemke	Thorson
Drew	Leum	Trout
Flatt	Magoffin	Tweten
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young

Those voting in the negative were: Streibel

Absent	and	not vo	ting				
Beaton			F	wle	r		Topp
Brant			Li	an			Troxel
So the	bill	passed	and	the	title	was	agreed to.

Senator Thorson moved that the rules be suspended and House Bill No. 267 be placed on Second Reading and Final Passage, as amended by the Conference Committee, which motion prevailed.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the 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, 0; absent and not voting, 8.

Those voting in th	e affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Isaak	Raschko
Blank	Kamrath	Skarvold
Bridston	Lavik	Streibel
Braun	Lemke	Stucke
Dahl	Leum	Thatcher
Drew	Lian	Thorson
Flatt	Magoffin	Trout
Fredrickson	Morgan	Tweten
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	•
Absent and not v	oting:	
Bilden	Fowler	Troxel

Brant Topp So the bill passed and the title was agreed to.

Holl

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 45, have had the same under consideration and recommend that the House accept the Senate amendments.

For the Senate: J. C. Blaisdell, Jr. N. N. Nelson W. J. Braun.

Blaisdell

For the House: Alex Dalzell Leonas Myers E. C. Stone.

Watt

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Senator Blaisdell moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 3. 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.

Senate Bill No. 2. 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 House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Senator Beaton moved that the rules be suspended and Senate Bill No. 140 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the 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, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Beaton	Holl	Raschko
Blaisdell	Isaak	Skarvold
Bridston	Kamrath	Streibel
Braun	Lavik	Stucke
Dahl	Lemke	Thatcher
Drew	Leum	Thorson
Flatt	Lian	Trout
Fredrickson	Morrison	Watt
Gilbertson	Nelson, Grand Fks.	Tweten
Greiser	Nelson, McKenzie	Whelan

Olson, McHenry

Young

Guenthe	r				
Absent	and	not	voting:	- 1 E	
Bilden			Fowler		Topp
Blank			Magoffin		Troxel

Brant Morgan' Wog So the bill passed and the title was agreed to.

Senator Aandahl moved that the rules be suspended and House Bill No. 279 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 279. A Bill for an Act to Amend and Reenact Subdivisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6 of Chapter 160 of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; 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 rol was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Aandahl	Hill	Olson, McHenry
Aasen	Holl	Olson, Mountrail
Beaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Braun	Lemke	Stucke
Dahl	Leum	Thatcher
Drew	Lian	Thorson
Flatt	Magoffin	Tweten
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther		

Those voting in the negative were: Owings

Absent and not voting:

Blank	Fowler	Trout
Brant	Guthrie	Troxel
Bridston	Topp	

So the bill passed and the title was agreed to.

Senator Morrison moved that the rules be suspended and House Bill No. 36 be placed on Second Reading and Final Passage, which motion prevailed.

House Bill No. 36. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological

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Gronvold

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, as amended, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aandahl	Guthrie	Olson, Mountrail
Aasen	Holl	Owings
Beaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blank	Lavik	Streibel
Blaisdell	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Tweten
Fredrickson	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	

Those voting in the negative were: Hill

Absent and no	ot voting were:	
Brant	Fowler	Trout
Bridston	Topp	Troxel
Flatt		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has not adopted the Conference Committee report on:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

And have asked the same Conference Committee to act with the like committee from the Senate regarding one item in the amendments.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 135. Senate Concurrent Resolution No. 285. Senate Concurrent Resolution No. 271. Senate Concurrent Resolution No. 185. Senate Concurrent Resolution No. 285. Joint Resolution "A." Were delivered to the Secretary of State for his approval on March 3, 1939.

W. J. TROUT, Chairman.

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The Committee on Enrollment and Engrossment respectfully reports that:

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Senate	Bill	No.	190.	21.12
Senate	Bill	No.	130.	
Senate	Bill	No.	132.	
Senate	Bill		139.	1.14
Senate	Bill	No.	103.	
	Bill	No.	104.	
Senate Senate	Bill	No.	228.	
		No.	61.	
Senate		No.		
Senate	Bill	No.	284.	
Senate	Bill	No.	189.	
Senate	Bill	No.	120.	
Senate	Bill	No.	133.	
Senate	Bill	No.	124.	
Senate	Bill	No.	77.	
Senate	Bill	No.	248.	
Senate	Bill	No.	247.	
Senate	Bill	No.	246.	
Senate	Bill	No.	234.	
Senate	Bill	No.	203.	
Senate	Bill	No.	196.	
Senate	Bill	No.		
Senate	Bill	No.	47.	
Senate	Bill	No.	56.	
Senate	Bill	No.	68.	
Senate		No.	182.	
Senate	Bill	No.	181.	
Senate	Bill	No.	232.	
Senate	Bill	No.	89.	
Senate	Bill	No.	222.	
Senate	Bill		283.	
Senate	Bill	No.	41.	
	Bill	No.	172.	
Senate				
Senate	Bill	No.	86.	
Senate	Bill	No.	55.	
Senate	Bill	No.	69.	
Senate	Bill	No.	184.	
Senate	Bill	No.	262.	
Senate	Bill	No.	240.	
Senate	Bill	No.	261.	
Senate	Bill	No.	94.	
Senate	Bill	No.	211.	
Senate	Bill	No.	256.	
Senate	Bill	No.	249.	
Senate	Bill	No.	195.	
Senate	Bill	No.	149.	
Senate	Bill	No.	205.	
Senate	Bill	No.	171.	
Senate	Bill	No.	150.	
Senate	Bill	No.	147.	
Senate	Bill	No.	121.	
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Were delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Which the House has amended.

MINNIE D. CRAIG, Chef Clerk.

The President announced that the Senate would be on the Fifteenth Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Section 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens, Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for the Penalties for the Violation Thereof; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to complete the Index Senate and House Journals of the Session, and Providing Compensation Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 406. Providing for Employment and Compensation to Complete Final Record of All Bills of the 26th Legislative Session.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution 405. Providing for continued employment and compensation thereof to complete records of present legislative session.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President 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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to said Institutions and the Sub-divisions Thereof.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the Department of Public Health.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected With Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No.' 43. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 341. A Bill for an Act Assessing and Levying From April 1, 1939, to July 1, 1941, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upor Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926 and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and for Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 17. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 19. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 15. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 16. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 160. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 45.

And the President appointed as such committee, Senators: J. C. Blaisdell, N. N. Nelson of Grand Forks and W. J. Braun.

Senator Aandahl moved that the Senate do not concur in the House amendments to Senate Bills No. 237 and 239, which motion prevailed.

Senator Aandahl moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bills No. 237 and 239.

And the President appointed as such committee, Senators:

Fred Aandahl

J. W. Guthrie

R. A. Owings.

Relative to:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

S. K. Skartvedt R. G. Beede Leonas Myers.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Which the House has passed unchanged.

MINNIE D.CRAIG, Chief Clerk.

Senator Blaisdell requested that the Senate be on the Eighth Order of Business, which motion prevailed.

Senator Blaisdell moved that the engrossed bill (Senate Bill No. 277) as amended, be messaged to the House, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and

Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Which the Senate has amended as follows:

Strike out everything after the words "A Bill," and insert the following:

For an Act Making Appropriation to Provide Funds for the Payment of Salary and Expenses Due Inspectors of the Motor Vehicle Registrar Department and Making an Appropriation in the Sum of \$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 Fund for the Necessary Expenses Incurred as State Dairy Commissioner, for the Payment of Which There was no Appropriation; and Declaring an Emergency.

WHEREAS, it appears that the former Registrar of the Motor Vehicle Department Employed Several Inspectors contrary to and in disregard of Section 9 of Chapter 199 of the Session Laws of North Dakota for 1933, for the purpose of investigating and reporting violations of laws requiring the registration of all motor vehicles;

WHEREAS, it appears that all of said inspectors so employed rendered the services and paid expenses required of them to be performed during the months of January and up to February 15, 1939, inclusive, when they were dismissed and discharged from such employment; and that there is now due to such inspectors for services and paid expenses so rendered by virtue of their said employment the sum of two thousand four hundred fifty-nine dollars and eighty-four cents (\$2,459.84); and

WHEREAS, it appears that there is no authority in law to warrant the payment of said inspectors out of the Motor Vehicle Registration Fund and that the State Auditing Board has no authority to approve or allow for payment the claims of such inspectors for salaries and expenses due them; and that it will be necessary to make an appropriation in the aforesaid sum for salaries and expenses due such inspectors that remain unpaid.

THEREFORE BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. That there is hereby appropriated out of moneys in the State Treasury in the Motor Vehicle Registration Fund, not otherwise appropriated, the sum of two thousand four hundred fifty-nine dollars and eighty-four cents (\$2,459.84) for the purpose of paying the salaries and expenses of inspectors employed by the former Registrar of the Motor Vehicle Department for services and paid expenses rendered by them pursuant to such employment.

SECTION 2. There is appropriated out of any funds of the State of North Dakota, not otherwise appropriated, the sum of one thousand two hundred forty dollars and fifty-one cents (\$1,240.51) or so much thereof as may be necessary to pay the expenses incurred by the said O. P. Shelstad in conducting the office of the State Dairy Commissioner of North Dakota for the period of from July 1, 1933, to December 31, 1934, as shown by the vouchers of such expenses filed by the said O. P. Shelstad with the Auditor of the State of North Dakota, and which have not been paid by the Auditor. 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.

This bill is sent over for the reason that the original Senate Bill No. 277 is no longer in existence, the Senate having reconsidered its action on same and passed an amended bill.

WM. J. LOWE, Secretary.

Senator Gilbertson moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 285.

And the President appointed as such committee, Senators:

J. W. Guthrie

Gust Wog

Ben Gilbertson

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators:

J. W. Guthrie Gust Wog Ben Gilbertson. Relative to:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 45 have had the same under consideration and recommend that the House accept the Senate amendments, and in addition thereto strike out line 23 of the engrossed bill.

For the Senate:For the House:J. C. Blaisdell, Jr.Alex DalzellW. J. BraunLeonas MyersN. N. Nelson.E. C. Stone.

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Blaisdell moved that the Committee be discharged, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 12. A Bill for an Act Making an Appro-

priation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

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 Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to said Institutions and the Sub-divisions Thereof.

House Bill No.' 43. 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.

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return herewith the following:

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to complete the Index Senate and House Journals of the Session, and Providing Compensation Therefor.

House Concurrent Resolution No. 406. Providing for employment and compensation to complete final record of all bills of the 26th Legislative Session.

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

House Concurrent Resolution 405. Providing for continued employment and compensation thereof to complete records of present legislative session.

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators. House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected With Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the Department of Public Health.

House Bill No. 17. 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.

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

House Bill No. 160. 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.

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 16. 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. House Bill No. 15. 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.

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

House Bill No. 19. 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.

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws.

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31, Thereof, Providing for Reimbursement and Providing for Validity. House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for the Penalties for the Violation Thereof; and Declaring an Emergency.

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

House Bill No. 341. A Bill for an Act Assessing and Levying From April 1, 1939, to July 1, 1941, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926 and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and for Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State. Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 11b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Which the president has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to transmit the following bills:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Sections 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

WM. J. LOWE, Secretary.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 8 be placed on Second Reading and Final Passage, as amended by the Conference Committee report, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40 nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry
Aasen	Guenther	Olson, Mountrail
Bilden	Holl	Owings
Blank	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Lian	Thorson
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fowler	Morrison	Whelan
Fredrickson	Nelson, Grand Fks.	Wog
Gilbertson Greiser	Nelson, McKenzie	Young

Those voting in the negative were: Thatcher

Absent and not voting:

Absent and no	or voring.	
Beaton	Hill	Trout
Flatt	Leum	Watt
Guthrie	Topp	

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 26 have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:	For the House:
A. W. Fowler	N. P. Jensen
W. J. Braun	W. H. Shure
C. S. Aasen	Bernt Anderson of McKenzie.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler moved that the Committee be discharged, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the Thirteenth Order of Business.

Senator Blank moved that further consideration of House Bill No. 158 be indefinitely postponed.

Senator Gilbertson moved that the motion to indefinitely postpone House Bill No. 158 be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; 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, 26; nays, 20; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Fowler	Lian
Aasen	Fredrickson	Magoffin
Blaisdell	Gilbertson	Nelson, Grand Fks.
Brant	Gronvold	Owings
Bridston	Guenther	Watt
Braun	Guthrie	Whelan
Dahl	Hill	Wog
Drew	Lavik	Young
Flatt	Leum	
Those voting in th	e negative were:	
Beaton	Morrison	Stucke
Bilden	Nelson, McKenzie	Thatcher
Blank	Olson, McHenry	Thorson
Greiser	Olson, Mountrail	Trout
Holl	Raschko	Troxel
Isaak	Skarvold	Tweten
Lemke	Streibel	
Absent and not vot		

Kamrath Morgan Topp

So the bill passed and the title was agreed to.

Senator Gilbertson moved that the vote by which House Bill No. 158 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Blaisdell moved that the rules be suspended and House Bill No. 45 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the	affirmative were:	
Aandahl	Greiser	Olson, McHenry
Aasen	Gronvold	Olson, Mountrail
Beaton	Guenther	Owings
Bilden	Guthrie	Raschko
Blank	Hill	Skarvold
Blaisdell	Holl	Stucke
Brant	Isaak	Thatcher
Bridston	Lavik	Thorson
Braun	Lemke	Troxel
Dahl	Leum	Tweten
Drew	Lian	Watt
Flatt	Magoffin	Whelan
Fowler	Morrison	Wog
Fredrickson	Nelson, Grand Fks.	Young
Gilbertson	Nelson, McKenzie	

Those voting in the negative were: Streibel

Absent and not voting:

Kamrath Topp Trout Morgan

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Fowler moved that the rules be suspended and Senate Bill No. 26 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aandahl	Gronvold	Olson, McHenry	
Aasen	Guenther	Olson, Mountrail	
Beaton	Guthrie	Owings	1
Bilden	Hill	Raschko	
Blank	Holl	Skarvold	
Blaisdell	Isaak	Streibel	
Brant	Lavik	Stucke	
Bridston	Lemke	Thatcher	
Braun	Leum	Thorson	
Dahl	Lian	Troxel	
Drew	Magoffin	Tweten	
Flatt	Morgan	Watt	
Fowler	Morrison	Whelan	
Fredrickson	Nelson, Grand Fks.	Wog	
Gilbertson	Nelson, McKenzie		
Greiser	a service of the second second		

Absent and not voting:

Kamrath

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Topp

Senator Hill moved that the vote by which Senate Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Trout

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, Senators:

Fred Aandahl

J. W. Guthrie

R. A. Owings

Relative to:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill 159 have had the same under consideration and recommend striking out House amendments to the bill on page 1255 of the House Journal.

For the Senate: James W. Guthrie Fred J. Fredrickson Wm. A. Thatcher. For the House: R. T. Gray K. A. Fitch Jos. D. Byrne.

Senator Guthrie moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Guthrie moved that the committee be discharged, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232 of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insur-ance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency. WM. J. LOWE, Secretary.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 159 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232 of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, 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, 43; nays, 0; absent and not voting, 6.

Those voting in	the affirmative were:	
Aandahl	Guenther	Olson, McHenry
Aasen	Hill	Olson, Mountrail
Beaton	Holl	Owings

Bilden	Isaak	Raschko
Blank	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Brant	Lemke	Thatcher
Bridston	Leum	Thorson
Braun	Lian	Trout
Dahl	Magoffin	Troxel
Drew	Morgan	Tweten
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Greiser	Nelson, McKenzie	Young
Gronvold	and the state of the state of the state	

Absent and not voting:

Flatt	Guthrie	Topp
Fowler	Stucke	Watt
0 11 1 11		

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which Senate Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Blaisdell moved that the Senate be on the 15th Order of Business, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor. And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit herewith the following bill:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed House Members:

C. H. Hofstrand

Olaf Ostgulen

P. K. Holm.

As a Conference Committee on:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Voca⁺ional Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the 13th Order of Business.

Senator Fredrickson moved that House Bill No. 174 be placed at the foot of the calendar.

SECOND READING OF HOUSE BILLS

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 2; absent and not voting, 11.

Those voting in the	affirmative were:	
Beaton	Hill	Raschko
Bilden	Holl	Skarvold
Blank	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Drew	Lian	Trout
Flatt	Morrison	Troxel
Fredrickson	Nelson, Grand Fks.	Tweten
Gilbertson	Nelson, McKenzie	Whelan
Greiser	Olson, McHenry	Wog
Gronvold	Olson, Mountrail	Young

Those voting in the negative were: Aasen Watt

Absent and not voting:

Aandahl	Guenther	Morgan
Blaisdell	Guthrie	Owings
Dahl	Isaak	Topp
Fowler	Magoffin	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nelson of McKenzie moved that the vote by which House Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

Which the Senate has passed unchanged.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 226 have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:	For the House:
Herman Thorson	Palmer Levin
E. Magoffin	W. H. Shure
J. L. Flatt	R. G. Beede
1 : 2 : 1 : 1 : 1 : 1 : 2 : 2 : 2 : 1 : 1	이번 옷을 넣는 것이 같은 것이 같이 집에서 다니는 것이다.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Thorson moved that the committee be discharged, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Was read the second time.

Senator Blaisdell demanded a call of the Senate, which was granted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to report that the Senate has adopted the Conference Committee report on:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An .

Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict, and Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Blaisdell moved that further call of the Senate be dispensed with, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Aandahl	Fredrickson	Magoffin
Aasen	Gilbertson	Morgan
Blank	Greiser	Morrison
Blaisdell	Gronvold	Nelson, Grand Fks.
Brant	Guenther	Raschko
Bridston	Guthrie	Thatcher
Braun	Hill	Thorson
Dahl	Lavik	Whelan
Drew	Leum	Wog
Flatt	Lian	Young
Fowler		2

Those voting in the negative were:

Beaton	Nelson, McKenzie	Stucke
Bilden	Olson, McHenry	Trout
Holl	Olson, Mountrail	Troxel
Isaak	Owings	Tweten
Kamrath	Skarvold	Watt
Lemke	Streibel	

Absent and not voting:

Topp

So the Concurrent Resolution was declared adopted.

Senator Guenther moved that the vote by which House Concurrent Resolution No. 408 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return herewith the following resolution:

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Which the Senate has passed and your favorable consideration is respectfully requested.

WM. J. LOWE, Secretary.

Senator Young moved that the vote by which House Bill No. 354 was lost be reconsidered.

Senator Greiser made a substitute motion that the motion to reconsider House Bill No. 354 be laid on the table.

Senator Fowler demanded a roll call, which was granted.

ROLL CALL

The question being on the substitute motion of Senator Greiser that the motion to reconsider House Bill No. 354 be laid on the table, the roll was called and there were ayes, 20; nays, 23; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Guenther	Olson, Mountrail
Dahl	Isaak	Raschko
Drew	Kamrath	Skarvold
Fredrickson	Lian	Streibel
Gilbertson	Nelson, Grand Fks.	Stucke
Greiser	Nelson, McKenzie	Tweten
Gronvold	Olson, McHenry	

Those voting in the negative were:

Those voting in	the negative were.	
Aasen	Hill	Thorson
Beaton	Holl	Trout
Blank	Lavik	Troxel
Brant	Lemke	Watt
Bridston	Leum	Whelan
Braun	Magoffin	Wog
Flatt	Morrison	Young
Fowler	Thatcher	

Absent and not voting:

Aandahl	Guthrie	Owings
Blaisdell	Morgan	Topp

So the substitute motion of Senator Greiser that the motion to reconsider House Bill No. 354 be laid on the table, was declared lost.

Senator Fowler demanded a Call of the Senate, which was granted.

Senator Whelan moved that the Call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question now being on the original motion of Senator Young that House Bill No. 354 be reconsidered the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Aasen	Guthrie	Thatcher
Beaton	Hill	Thorson

Blank	Holl	Trout
Brant	Lavik	Tweten
Bridston	Lemke	Watt
Braun	Leum	Whelan
Flatt	Magoffin	Wog
Fowler	Morrison	Young

Those voting in the negative were:

Aandahl	Gronvold	Olson, McHenry
Bilden	Guenther	Olson, Mountrail
Blaisdell	Isaak	Owings
Dahl	Kamrath	Raschko
Drew	Lian	Skarvold
Fredrickson	Morgan	Streibel
Gilbertson	Nelson, Grand Fks.	Stucke
Greiser	Nelson, McKenzie	Troxel

Absent and not voting were:

Topp

So the motion of Senator Young to reconsider the vote by which House Bill No. 354 was indefinitely postponed was declared lost for want of a two-thirds majority.

Senator Morrison: Mr. President, I wish to explain my vote. I think we should keep this bill alive. It probably should be amended but I think it is a big revenue producing measure and I think the trucks are a development to our country—it is just progress. Therefore I vote "aye".

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 365. Relating to Amendment to Section 176 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Whelan demanded a Call of the Senate, which was granted.

Senator Whelan moved that the Call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Kamrath	Owings
Brant	Lavik	Skarvold
Braun	Lemke	Streibel
Dahl	Morrison	Stucke
Gilbertson	Nelson, McKenzie	Thorson
Greiser	Olson, McHenry	Trout
Hill	Olson, Mountrail	Tweten
Isaak		
Those voting in the	negative were:	
Aandahl	Fredrickson	Nelson Grand H

Aandahl	Fredrickson	Nelson, Grand Fks.
Aasen	Gronvold	Raschko
Beaton	Guenther	Thatcher

FRIDAY, MARCH 3, 1939

Blank	Guthrie	Troxel
Blaisdell	Holl	Watt
Bridston	Leum	Whelan
Drew	Lian	Wog
Flatt	Magoffin	Young
Fowler	Morgan	

Absent and not voting:

Topp

So the Concurrent Resolution was declared lost.

Senator Whelan moved that the vote by which House Concurrent Resolution No. 365 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morgan moved that action on House Bill No. 174 be deferred for a time, which motion prevailed.

Senator Morgan moved that the Printing Committee which was appointed at the beginning of this legislative session, having performed its duties be discharged, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 6. 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 House has amended.

MINNIE D. CRAIG, Chief Clerk.

Senator Whelan moved that at this time the Chair appoint two members to serve on the Interim Commission as provided for in House Concurrent Resolution No. 408, which motion prevailed. The Chair announced the appointment of Senators Greiser and Guthrie as the two members of the Senate to serve on the Interim Commission as provided for in House Concurrent Resolution No. 408.

Senator Whelan moved that the Senate confirm the appointment of Senators Greiser and Guthrie as members of the Interim Commission, which motion prevailed.

Senator Blaisdell moved that the Senate do concur in the House amendments to Senate Bill No. 276, which motion prevailed.

Senator Blaisdell moved that the rules be suspended and Senate Bill No. 276 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All 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, 44; nays, 0; absent and not voting, 5.

Those voting in the	affirmative were:	
Aandahl	Guthrie	Olson, Mountrail
Beaton	Hill	Owings
Bilden	Holl ·	Raschko
Blank	Isaak	Skarvold
Blaisdell	Kamrath	Streibel
Brant	Lavik	Stucke
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Lian	Troxel
Drew	Magoffin	Tweten
Flatt	Morgan	Watt
Fredrickson	Morrison	Whelan
Gilbertson	Nelson, Grand Fks.	Wog
Gronvold	Nelson, McKenzie	Young
Guenther	Olson, McHenry	

Absent and not voting:

Aasen	Greiser	Trout
Fowler	Topp	

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which Senate Bill No. 276 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber. Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do not concur in the House amendments to Senate Bill No. 255, which motion prevailed.

Senator Watt moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 255, which motion prevailed.

And the President appointed as such committee, Senators:

M. R. Young, H. G. Guenther, R. M. Streibel.

MESSAGES TO THE HOUSE

Senate Chamber. Bismarck, March 3, 1939.

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. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

And the President has appointed as a conference committee to act with a like committee from the House, Senators:

M. R. Young, J. W. Guthrie,

R. M. Streibel.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

House Concurrent Resolution No. 365. Relating to Amendment to Section 176 of the Constitution of the State of North Dakota.

Which was lost.

WM. J. LOWE, Secretary.

Senator Blaisdell moved that the Senate do not concur in the House amendments to Senate Bill No. 238, which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 238, which motion prevailed.

And the President appointed as such committee, Senators: Fred J. Fredrickson,

Wm. Watt,

Robert Greiser.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3. 1939.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 238. 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.

And the President has appointed as Conference Committee Senators:

Fred J. Fredrickson,

Wm. Watt,

Robert Greiser.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 9, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 9 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 9. 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, 35; nays, 0; absent and not voting, 14.

Aasen	the affirmative were: Isaak	Owings
Blank	Kamrath	Skarvold
Blaisdell	Lavik	Streibel
Brant	Lemke	Thatcher
Bridston	Lian	Thorson
Braun	Magoffin	Trout
Fredrickson	Morgan	Troxel
Gilbertson	Morrison	Tweten
Greiser	Nelson, Grand Fks.	Watt
Gronvold	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Hill	Olson, Mountrail	
Those voting in	the negative were:	
Aandahl	Flatt	Raschko
Beaton	Fowler	Stucke
Bilder	Guthrie	Topp
Dahl	Holl	Whelan
Drew	Leum	an colorida

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939. Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to: Senate Bill No. 9. 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.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Ritter, Rohde, Anderson of McKenzie on:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Crockett, Lange, Schmidt of Sheridan on:

Senate Bill No. 238. 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.

MINNIE D. CRAIG, Chief Clerk.

HOUSE OF REPRESENTATIVES

Mr. President: I have the honor to return:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 7. 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.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to Be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Senator Thatcher moved that the Senate do concur in the House amendments to Senate Bill No. 6, which motion prevailed. Senator Thatcher moved that the rules be suspended and Senate Bill No. 6 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 6. 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, 41; nays, 0; absent and not voting, 8.

Those voting in	the affirmative were:	
Aasen	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Brant	Lavik	Streibel
Bridston	Lemke	Stucke
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Trout
Flatt	Morgan	Troxel
Fredrickson	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Greiser	Nelson, McKenzie	Wog
Guenther	Olson, McHenry	Young
Guthrie	Olson, Mountrail	

Absent and no	t voting:	
Aandahl	Fowler	Topp
Beaton	Gronvold	Whelan
Blaisdell	Kamrath	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber.

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

WM. J. LOWE, Secretary.

Senator Flatt moved the Senate recess to the Call of the Chair, which motion prevailed.

And the Senate stood recessed pursuant to the motion of Senator Flatt.

The Senate reconvened at the Call of the Chair.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return: Senate Bill No. 96. A Bill for an Act to Provide for the

Removal of Certain Public Officers in Said Act Enumerated and Establishing the Procedure Therefor and Repealing Sections 685, 686, 688, 689, 690, 691, 692, 693, 694, and 695 of the 1925 Supplemnet to the Compiled Laws of the State of North Dakota for the Year 1913, Sections 687, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481 and 10482 of the Compiled Laws of the State of North Dakota for the Year 1913, and Chapter 230, of the Session Laws of the State of North Dakota for the Year 1927.

Senate Bill No. 157. A Bill for an Act Relating to Civil Liability of Owners and Operators of Motor Vehicles, Service of Civil Process on Non-residents and Requirement That Owners of For-rent Vehicles Give Proof of Financial Responsibility and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 1506 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1506 of the 1925 Supplement to the Compiled Laws of 1913, and to Amend and Re-enact Section 1517 of the Compiled Laws of 1913, as Amended and Re-enacted by Section 1517 of the 1925 Supplement to the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

Senate Bill No. 204. A Bill for an Act Permitting County Commissioners to Publish Delinquent Real Estate Tax Sale Notices in the Legal Newspapers of the County, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Concurrent Resolution No. 282. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

Senator Blaisdell moved that the Senate do not concur in the House amendments to Senate Bill No. 123, which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 123, which motion prevailed.

And the President appointed as such committee, Senators:

Wm. Watt,

M. J. Raschko,

H. J. Guenther.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939. Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to Be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

And the President has appointed as a conference committee to act with a like committee from the House, Senators:

Wm. Watt, M. J. Raschko,

H. G. Guenther.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 5, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 5 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

	e affirmative were:	
Aasen	Guenther	Nelson, McKenzie
Beaton	Guthrie	Olson, McHenry
Bilden	Hill	Olson, Mountrail
Blank	Holl	Owings
Blaisdell	Isaak	Raschko
Bridston	Kamrath	Skarvold
Braun	Lavik	Streibel
Dahl	Leum	Thatcher
Drew	Lian	Thorson
Flatt	Magoffin	Tweten
Fowler	Morgan	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Young
Absent and not vo	ting:	
Aandahl	Lomke	Trout

Aandahl	Lemke	Trout
Brant	Stucke	Troxel
Fredrickson	Topp	Wog
Gronvold		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

WM. J. LOWE, Secretary.

Senator Thatcher requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Thatcher moved that the vote by which Senate Bill No. 6 was passed be reconsidered for a correction, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to Be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

House Members:

Bernt Anderson of McKenzie,

R. G. Beede,

Harry Semerad.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the 8th Order of Business.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Blaisdell, Stucke and Fredrickson introduced:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Was read the first time.

Senator Stucke moved that the rules be suspended and Senate Concurrent Resolution No. 288 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 30; nays, 5; absent and not voting, 14.

Those vou	affirmative were:	
Aasen	Guthrie	Nelson, McKenzie
Beaton	Holl	Olson, McHenry

Isaak	Olson, Mountrail
Kamrath	Owings
Lavik	Raschko
Lemke	Skarvold
Leum	Stucke
Lian	Thorson
Magoffin	Whelan
Nelson, Grand Fks.	Wog
	Kamrath Lavik Lemke Leum Lian Magoffin

Those voting in the negative were: Blank Flatt Tweten Bridston Thatcher

Absent and no	t voting were:	
Aandahl	Hill	Trout
Brant	Morgan	Troxel
Gilbertson	Morrison	Watt
Gronvold	Streibel	Young
Guenther	Topp	

So the Concurrent Resolution was adopted.

Senator Blaisdell moved that the vote by which Senate Concurrent Resolution No. 288 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Thatcher moved that the Senate do concur in the House amendments to Senate Bill No. 84, which motion prevailed.

Senator Thatcher moved that the rules be suspended and Senate Bill No. 84 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, 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, 30; nays, 7; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Guthrie	Olson, McHenry
Bilden	Holl	Olson, Mountrail
Blank	Kamrath	Owings
Bridston	Lavik	Skarvold
Braun	Lemke	Stucke
Dahl	Lian	Thatcher
Drew	Magoffin	Thorson
Flatt	Morgan	Tweten
Fowler	Morrison	Whelan
Gilbertson	Nelson, McKenzie	Wog
Those voting in	n the negative were:	
Aasen	Leum	Raschko
Blaisdell	Nelson, Grand Fks.	Trout
Isaak		

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Absent and not voting:

Aandahl	Gronvold	Topp
Brant	Guenther	Troxel
Fredrickson	Hill	Watt
Greiser	Streibel	Young

So the bill passed and the title was agreed to.

Senator Blank moved that the vote by which Senate Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

WM. J. LOWE, Secretary.

MESSAGE FROM THE SENATE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Which the Senate has adopted.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do not concur in the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 7, which motion prevailed.

And the President appointed as such Committee: Senators Lemke, Nelson of Grand Forks, Braun.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to:

Senate Bill No. 7. 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 the President has appointed as a conference committee to act with a like committee from the House, Senators: B. W. Lemke, N. N. Nelson of Grand Forks, W. J. Braun.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous persons for the Biennium Beginning July 1, 1939 and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Senator Fowler moved that the Senate do not concur in the House amendments to Senate Bill No. 141, which motion prevailed.

Senator Fowler moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 141, which motion prevailed.

And the President appointed as such Committee: Senators A. W. Fowler, J. B. Bridston, G. F. Drew.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

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Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

And the President has appointed as a conference committee to act with a like committee from the House, Senators: A. W. Fowler, J. B. Bridston, G. F. Drew.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 245, which motion prevailed. Senator Watt moved that the rules be suspended and Senate Bill No. 245 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 2; absent and not voting, 16.

Those voting in the	affirmative were:	
Aasen	Gronvold	Olson, McHenry
Beaton	Holl	Owings
Bilden	Isaak	Raschko
Blaisdell	Kamrath	Skarvold
Bridston	Lemke	Thatcher

Blaisdell	Kamrath	Skarvold
Bridston	Lemke	Thatcher
Braun	Leum	Thorson
Dahl	Magoffin	Trout
Drew	Morgan	Tweten
Flatt	Nelson, Grand Fks.	Watt
Fowler	Nelson, McKenzie	Whelan
Fredrickson		

Those voting in the negative were: Morrison Clson, Mountrail

Absent and not	voting:	
Aandahl	Guthrie	Stucke
Blank	Hill	Topp
Brant	Lavik	Troxel
Gilbertson	Lian	Wog
Greiser	Streibel	Young
Guenther		

So the bill passed and the title was agreed to.

Senator Blaisdell moved that the vote by which Senate Bill No. 245 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

WM. J. LOWE, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,

March 3, 1939.

Mr. President: I have the honor to return: Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 10, of Chapter 102, of the Session Laws of the State of North Dakota for the Year 1937, Relating to Rentals and the Selection of Tenants in Housing Projects of Housing Authorities, and Declaring an Emergency.

Which the House has indefinitely postponed.

Mr. President: I have the honor to return:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Senator Thatcher moved that the rules be suspended and Senate Bill No. 6 be placed on Second Reading and Final Passage, as corrected, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 6. 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, 32; nays, 3; absent and not voting, 14.

	the affirmative were:	
Aasen	Holl	Olson, Mountrail
Beaton	Isaak	Owings
Bilden	Kamrath	Raschko
Bridston	Lemke	Skarvold
Braun	Leum	Thatcher
Dahl	Lian	Thorson
Drew	Magoffin	Trout
Flatt	Morrison	Tweten
Fowler	Nelson, Grand Fks.	Watt
Fredrickson	Nelson, McKenzie	Whelan
Gronvold	Olson, McHenry	

Those voting in the negative were: Blaisdell Guthrie Morgan

Absent and not	voting:	
Aandahl	Guenther	Topp
Blank	Hill	Troxel
Brant	Lavik	Wog
Gilbertson	Streibel	Young
Greiser	Stucke	

So the bill passed and the title was agreed to.

The President announced that the Senate would be on the 5th Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2.

Senate Bill No. 3. Senate Bill No. 140. Senate Bill No. 140. Senate Bill No. 170. Senate Bill No. 213. Senate Bill No. 225. Senate Bill No. 253. Senate Bill No. 4. Senate Bill No. 9. Senate Bill No. 26. Senate Bill No. 187. Senate Bill No. 276.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 244, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 244 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 30; nays, 2; absent and not voting, 17.

Those voting in the	affirmative were:	
Aandahl	Guthrie	Nelson, McKenzie
Aasen	Holl	Olson, McHenry
Beaton	Isaak	Olson, Mountrail
Bilden	Kamrath	Owings
Braun	Lavik	Skarvold
Dahl	Lemke	Thorson
Drew	Leum	Trout
Fowler	Lian	Tweten
Fredrickson	Magoffin	Watt
Gronvold	Morgan	Whelan
Those voting in the Morrison	negative were: Thatcher	
Absent and not vot	ting:	
Blank	Greiser	Stucke

Blank	Greiser	Stucke
Blaisdell	Guenther	Topp
Brant	Hill	Troxel
Bridston	Nelson, Grand Fks.	Wog
Flatt	Raschko	Young
Gilbertson	Streibel	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 244 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota. WM. J. LOWE, Secretary.

The President announced that the Senate would be on the 15th Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 2. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 3. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 9. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

Senator Guthrie moved that House Bill No. 174 be amended as follows: Strike out the Senate amendments on Page 393 of the Senate Journal, which motion prevailed.

Senator Guthrie moved that the rules be suspended and House Bill No. 174 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aandahl Aasen	Guenther Guthrie	Nelson, McKenzie Olson, McHenry
Beaton	Hill	Olson, Mountrail
Bilden	Hon	Owings

FRIDAY, MARCH 3, 1939

Blaisdell	Isaak	Raschko
Braun	Kamrath	Skarvold
Dahl	Lemke	Streibel
Drew	Leum	Stucke
Flatt	Lian	Thorson
Fowler	Magoffin	Tweten
Fredrickson	Morrison	Whelan
Gronvold	Nelson, Grand Fks.	Young

Absent and not voting:

Blank	Lavik	Trout
Brant	Morgan	Troxel
Bridston	Thatcher	Watt
Gilbertson	Торр	Wog
Greiser		

So the bill passed and the title was agreed to.

Senator Bridston moved that the Senate do not concur in the House amendments to Senate Bill No. 260, which motion prevailed.

Senator Bridston moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 260, which motion prevailed.

And the President apointed as such committee: Senators M. R. Young, Axel Olson of Mountrail, J. B. Bridston.

MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 3, 1939. Mr. Speaker: I have the honor to inform you that the

Senate has refused to concur in the House amendment to: Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

And the President has appointed as a conference committee to act with a like committee from the House, Senators M. R. Young, Axel Olson of Mountrail, J. B. Bridston.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as Conference Comittee to:

Senate Bill No. 7. 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.

Representatives R. T. Gray, Targie Trydahl, Leonas Myers.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration. Representatives Bernt Anderson of McKenzie, L. K. Morland and Theo. O. Rohde.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of-Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to the Public Welfare Fund. Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

Senate Bill No. 2. 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.

Senate Bill No. 3. 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 and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

Which the Senate Passed unchanged.

WM. J. LOWE, Secretary.

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 General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Senator Fowler moved that further consideration of Senate Bill No. 265 be indefinitely postponed.

Senator Morrison demanded a call of the Senate, which was granted.

Senator Fowler moved that the Call of the Senate be dispensed with.

ROLL CALL

The question being on the motion of Senator Fowler that further consideration of Senate Bill No. 265 be indefinitely postponed, the roll was called and there were ayes, 30; nays, 13; absent and not voting, 6.

Those voting in the affirmative were:

Aasen	Gilbertson	Nelson, Grand Fks.
Beaton	Gronvold	Nelson, McKenzie

Blaisdell	Guenther	Skarvold
Bridston	Hill	Streibel
Braun	Holl	Thorson
Dahl	Lavik	Trout
Drew	Leum	Watt
Flatt	Lian	Whelan
Fowler	Magoffin	Wog
Fredrickson	Morgan	Young
Those voting in th	e negative were:	
Bilden	Lemke	Raschko
Brant	Morrison	Stucke
Greiser	Olson, McHenry	Thatcher
Isaak	Olson, Mountrail	Tweten
Kamrath		

Absent and n	ot voting were:	
Aandahl	Guthrie	Topp
Blank	Owings	Troxel

So further consideration of Senate Bill No. 265 was indefinitely postponed.

Senator Gilbertson moved that the vote by which Senate Bill No. 265 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President announced that the Senate would be on the 5th Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 76;

Senate Bill No. 8; and

Senate Bill No. 5.

And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

The President announced that the Senate would be on the 15th Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

And the President signed the same in the presence of the Senate.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 238.

Have had the same under consideration and report that the Committee cannot reach a unanimous agreement and suggest appointment of a new committee.

For the Senate:	For the House:
Fred J. Fredrickson	Wm. Crockett
Wm. Watt	George H. Lange
Robert Greiser	John A. Schmidt

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fredrickson moved that the Committee be discharged, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber.

Bismarck, March 3, 1939. Mr. Speaker: I have the honor to transmit herewith the

following bills:

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 238, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 238 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 1; absent and not voting, 14.

Those voting in	the affirmative were:	
Aasen	Greiser	Nelson, McKenzie
Bilden	Guenther	Olson, McHenry
Blaisdell	Hill	Olson, Mountrail
Brant	Holl	Owings
Bridston	Isaak	Skarvold
Braun	Lavik	Streibel
Dahl	Lemke	Trout
Drew	Leum	Tweten
Flatt	Lian	Watt
Fowler	Magoffin	Whelan
Fredrickson	Morrison	Young
Gilbertson		

Those voting in the negative were: Gronvold

Absent and no	t voting:	
Aandahl	Morgan	Thorson
Beaton	Nelson, Grand Fks.	Topp
Blank	Raschko	Troxel
Guthrie	Stucke	Wog
Kamrath	Thatcher	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 238 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 238.

WM. J. LOWE, Secretary.

Senator Morrison moved that the Senate recess to the Call of the Chair, which motion prevailed.

And the Senate stood recessed pursuant to the motion of Senator Morrison.

The Senate convened at the Call of the Chair.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Ex-

penses of the State Hospital for the Insane at Jamestown, North Dakota.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the Fifth Order of Business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6 Senate Bill No. 245 Senate Bill No. 244 Senate Bill No. 238 Senate Bill No. 159, and Senate Bill No. 84. And find the same correctly Enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Which the House has passed unchanged.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

Which the House has amended.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has not adopted the Conference Committee report, and the Speaker has appointed as committee to act with a like committee from the Senate, Representatives:

R. G. Beede

R. R. Scholl

Robert Heckman.

Relative to:

Senate Bill No. 40. 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 Representatives:

Leonas Myers

Geo. Schwartz

Henry Page.

Relative to:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith;

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the Fifteenth Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 238. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232 of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 6. 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 President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the

United States and Congress of the Relief Situation in North Dakota.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Senator Watt moved that action on Senate Bill No. 1 be deferred until the Senate has an opportunity to check the House amendments, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232 of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 6. 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 and your signature is respectfully requested.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to transmit:

House Bill No. 274. 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, Runoff Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 Prop-erty; 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit: House Concurrent Resolution No. 132. A Concurrent Reso-

lution Relating to an Amendment of the Enabling Act of February 22, 1889.

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

House Bill No. 36. 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.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

House Bill No. 38. A Bill for an Act Making an Appro-

priation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May Be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Sections 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith. Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; and Declaring an Emergency.

Senate Bill No. 2. 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.

Senate Bill No. 3. 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.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941 to the Public Welfare Fund, Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 287.

Was delivered to the Secretary of State on March 3, 1939. W. J. TROUT, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 276. Senate Bill No. 170. Senate Bill No. 140. Senate Bill No. 2., Senate Bill No. 3.

- Senate Bill No. 26.
- Senate Bill No. 9.
- Senate Bill No. 4.

Senate Bill No. 253. Senate Bill No. 225. Senate Bill No. 225. Senate Bill No. 213. Senate Bill No. 213. Senate Bill No. 215. Senate Bill No. 215. Senate Bill No. 258. Senate Bill No. 281. Senate Bill No. 281. Senate Bill No. 8. Senate Bill No. 5. Senate Bill No. 76. Senate Bill No. 198.

Were delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

The President announced that the Senate would be on the 15th Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 36. 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.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury,

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for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents. And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 285. ABill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 274. 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, Runoff Waters, and Water Sheds, Located in or Within the Jurisdiction of the State of North Dakota, and to Exercise Powers of Contracting, of Sale and of Purchase, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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 Furchase 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 Pro-viding Duties of State Agencies Concerning Inter-state Compacts With Respect to Water Conservation, Flood Con-

trol 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the Speaker has appointed as Conference Committee, Representatives:

John J. Adam

Robert Rait

Harry Moe.

Relative to:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 159. A Bill for an Act to Amend and Reenact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232 of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 6. 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.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Bill No. 274. 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 Nav-igable or Non-navigable Surface and Sub-surface, Waters, Streams, Lakes, Ponds, Water-courses, Surface Waters, Run-off Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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; Validating Proceedings and Acts of the State Water Conservation Commission Dene and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

House Bill No. 38. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

House Bill No. 36. 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.

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

House Bill No. 285. ABill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Which the President has signed.

WM. J. LOWE, Secretary.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Sena	te	Bill	No.	244	
				the second second	

Senate Bill No. 238

Senate Bill No. 159

Senate Bill No. 84

Senate Bill No. 6

Were delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

Senator Fowler moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 158.

And the President appointed as such committee: Senators: Herman Thorson

A. N. Lavik

Henry Leum.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Cur Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature. MINNIE D. CRAIG, Chief Clerk.

Senator Tweten moved that the Senate accept the amendments on Senate Bill No. 40.

Senator Fowler demanded a call of the Senate, which was granted.

Senator Fowler moved that the Call of the Senate be dispensed with, which motion prevailed.

Senator Fowler moved that the motion to accept the amendments on Senate Bill No. 40 be laid on the table.

Senator Fowler demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Tweten that the Senate accept the amendments on Senate Bill No. 40, the roll was called and there were ayes, 19; nays, 20; absent and not voting, 10.

	the affirmative were:	
Aandahl	Guenther	Raschko
Aasen	Guthrie	Troxel
Blaisdell	Lavik	Watt
Bridston	Leum	Whelan
Flatt	Magoffin	Wog
Fowler	Morgan	Young
Fredrickson		•
Those voting in	the negative were:	
Beaton	Kamrath	Skarvold
Bilden	Lemke	Streibel
Blank	Morrison	Stucke
Braun	Nelson, McKenzie	Thatcher
Greiser	Olson, McHenry	
Holl	Olson, Mountrail	
Isaak	Owings	and the statement of th
Absent and not	voting:	
Brant	Gronvold	Nelson, Grand Fks.
Dahl	Hill	Topp
Drew	Lian	Trout
Gilbertson		

So the motion of Senator Fowler that the motion to accept the House amendments to Senate Bill No. 40 be laid on the table, was declared lost.

Senator Blaisdell demanded a call of the Senate, which was granted.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 245.

Was delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on: Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

MINNIE D. CRAIG, Chief Clerk.

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REPORTS OF STANDING COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 237, have had the same under consideration and recommend:

That Senate Bill No. 237 as amended by the House be further amended as follows:

In line 5 of the title in the engrossed bill, after the word "basis" add the following words "and providing for the distribution of an emergency fund".

In line 1, Section 4, (House Amendment) strike out "\$500,-000.00" and insert in lieu thereof "\$250,000.00".

And in line 3, Section 4, strike out "\$500,000.00" and insert in lieu thereof "\$250,000.00".

In line 128 of the engrossed bill strike out the words "only one or two" and insert in lieu thereof the words "one to four".

In line 129 strike out the word "two" and insert in lieu thereof the word "four".

In the engrossed bill in lines:
249 change "\$1.00" to "\$.50".
250 change "\$2.00" to "\$1.00".
251 change "\$3.00" to "\$1.50".
252 change "\$4.00" to "\$2.00".
253 change "\$5.00" to "\$2.50".
254 change "\$6.00" to "\$3.00".
255 change "\$7.00" to "\$3.50".
256 change "\$8.00" to "\$4.00".
257 change "\$9.00" to "\$4.50".
258 change "\$10.00" to "\$5.00".
259 change "\$11.00" to "\$5.50".
260 change "\$12.00" to "\$6.00".
261 change "\$13.00" to "\$6.50".
262 change "\$14.00" to "\$7.00".
263 change "\$15.00" to "\$7.50".
264 change "\$16.00" to "\$8.00".
265 change "\$17.00" to "\$8.50".
266 change "\$18.00" to "\$9.00".
267 change "\$19.00" to "\$9.50".
268 change "\$20.00" to "\$10.00".
269 change "\$21.00" to "\$10.50".
270 change "\$22.00" to "\$11.00".

In line 353 Section 12 of the engrossed bill after the words "North Dakota" strike out the "period" and add the following: "The appropriations and allocations made herein shall be a first charge and claim upon and against all monies appropriated and coming into the fund hereby created in the order in which said appropriations and allocations are set forth herein."

For the House:
C. H. Hofstrand,
P. K. Holm,
Olaf Ostgulen.

Senator Aandahl moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Aandahl moved that the committee be discharged, which motion prevailed.

Senator Aandahl moved that the rules be suspended and Senate Bill No. 237 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in t	he affirmative were:	
Aandahl	Guenther	Nelson, McKenzie
Aasen	Guthrie	Olson, McHenry
Beaton	Holl	Olson, Mountrail
Bilden	Isaak	Owings

Blank	Kamrath	Raschko
Blaisdell	Lavik	Skarvold
Brant	Lemke	Stucke
Bridston	Leum	Thatcher
Drew	Lian	Thorson
Flatt	Magoffin	Tweten
Fowler	Morgan	Whelan
Fredrickson	Morrison	Wog
Greiser	Nelson, Grand Fks.	Young
Gronvold		

Those voting in the negative were: Streibel

Absent and n	ot voting:	
Braun	Hill	Troxel
Dahl	Торр	Watt
Gilbertson	Trout	

So the bill passed and the title was agreed to:

Senator Aandahl moved that the vote by which Senate Bill No. 237 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 239, has had the same under consideration and recommends that the House recede from its amendments and that the engrossed bill be then amended as follows:

In line 3, Section 1, strike out "\$4,140,000.00" and insert in lieu thereof "\$4,510,000.00."

In Section 1, strike out all of lines 14, 15, 16 and 17, and insert in lieu thereof:

(Line 14) "Emergency H	Fund\$500,000.00"
(Line 15) "Non-Resident	High School Tuition 1,100,000.00"
(Line 16) "Teacher Unit	Payment 1,770,000.00"
	ayment 1,000,000.00"
(Line 18) "Total	\$4,510,000.00"
For the Senate:	For the House:

ror the benate.	ror the nouse.
Fred G. Aandahl	C. H. Hofstrand
R. A. Owings	P. K. Holm
James W. Guthrie	Olaf Ostgulen

Senator Aandahl moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Aandahl moved that the committee be discharged, which motion prevailed.

Senator Aandahl moved that the rules be suspended and Senate Bill No. 239 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the the report of the Conference Committee on:

Senate Bill No. 239. A Bill for an Act Making an Appro-

priation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature. WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Guthrie Holl Isaak Kamrath	Olson, Mountrail Owings Raschko
Isaak	Raschko
	Raschko
Kamrath	C1 11
	Skarvold
Lavik	Streibel
Lemke	Stucke
Leum	Thatcher
Lian	Thorson
Magoffin	Troxel
Morgan	Tweten
Morrison	Watt
Nelson, Grand Fks.	Whelan
	Wog
	Young
,	
	Lemke Leum Lian Magoffin Morgan

Absent	and	not	voting:	
Dahl			Gilbertson	Topp
Flatt			Hill	Trout

So the bill passed and the title was agreed to:

Senator Aandahl 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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 1, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 1 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the House amendments to:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Aandahl	the affirmative were: Guthrie	Olson, Mountrail
Aasen	Holl	Owings
Beaton	Isaak	Raschko
Bilden	Kamrath	Skarvold
Blank	Lavik	Streibel
Blaisdell	Lemke	Stucke
Brant	Leum	Thatcher
Bridston	Lian	Thorson
Braun	Magoffin	Troxel
Drew	Morgan	Tweten
Fowler	Morrison	Watt
Fredrickson	Nelson, Grand Fks.	Whelan
Greiser	Nelson, McKenzie	Wog
Gronvold	Olson, McHenry	Young
Guenther		

Absent an	nd not voting were:	
Dahl	Gilbertson	Topp
Flatt	Hill	Trout

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 1 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the Senate concur in the House amendments and recommend a further amendment as follows:

Section 1, line 4, strike out the figures "\$252,637.00" and insert in lieu thereof the figures "\$258,637.00."

After line 39a, insert a new line, 39b to read: "Repairs for Dacotah Hall-\$6,000.00."

For the Senate:	For the House:
B. W. Lemke	Robert Gray
W. J. Braun	Targie Trydahl
N. N. Nelson	Leonas Myers

Senator Lemke moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Lemke moved that the committee be discharged, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 7 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 7. 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.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 7. 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.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 7. 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 second time.

ROLL CALL

The question being on the final passage, of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were: Aandahl Guthrie Olson, Mountrail Aasen Holl Owings Beaton Isaak Raschko Bilden Kamrath Skarvold Streibel Blank Lavik Blaisdell Lemke Stucke Brant Leum Thatcher

Bridston	Lian	Thorson
Braun	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Gronvold		

Absent and not voting:

Guenther	Topp
Hill	Trout

So the bill passed and the title was agreed to.

Senator Gronvold 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.

Senator Morrison requested that the Senate be on the 8th Order of Business, which request was granted.

Senator Morgan moved that the President of the Senate appoint a committee of three, whose duty it shall be to estimate the amount of printing and supplies, also consider the form of Journals, bills and calendars for the next session of the Legislature, and to make recommendations accordingly. Said committee to serve without compensation, which motion prevailed.

And the President appointed Senators: Morrison, Morgan and Greiser.

Senator Whelan moved that the communications received at the desk from Mr. P. H. McGurren and Mr. T. A. Thompson be made a part of the record and printed in the Journal, which motion prevailed.

NORTH DAKOTA

STATE HIGHWAY DEPARTMENT

Bismarck, March 3, 1939.

Senator Thomas Whelan, Capitol Building,

Bismarck, North Dakota.

Dear Senator:

After a conference with Mr. Z. E. Sevison, Chief Highway Engineer, and after consulting all the records in this office, I can find no contract of employment between this Department and Mr. Sevison employing Mr. Sevison for a period of five years.

However, the records in our office show that a Minute entry was made September 2nd, 1937. This Minute entry is the only reference to Sevison's employment so far as I am able to find and Mr. Sevison states that he knows of no other contract.

For your information, I herewith hand you a copy of said Minute entry.

Respectfully yours,

T. A. THOMPSON,

Attorney for Highway Department.

TAT:ev

(COPY)

September 2, 1937.

By virtue of the authority and the duty imposed on the

State Highway Commissioner by Section 6 of Chapter 125 Session Laws of 1933, to employ all persons as may be required for the proper transaction of the business of the State Highway Department; fix their titles and salaries, I hereby appoint Mr. Z. E. Sevison State Highway Engineer of the North Dakota Highway Department, for a term of five years, beginning this date at a salary of \$6,000 per year.

WHEREAS, The Minutes of the State Highway Commissioner dated June 10, 1937, provided for the performance of certain duties by the Chief Engineer in the absence of the State Highway Commissioner and

WHEREAS the position of Chief Engineer is now vacant it is hereby ordered and directed that the authority and duties heretofore conferred on the Chief Engineer shall hereafter be conferred upon the State Highway Engineer.

> P. H. McGURREN, State Highway Commissioner.

> > March 6, 1939.

Mr. Thomas Whelan, State Senator St. Thomas, North Dakota Dear Mr. Whelan:

I have your letter of the 5th instance relative to a contract which is supposed to exist with Mr. Sevison, State Highway Engineer and the State Highway Department, and in reply wish to state that no such contract exists.

Mr. Sevison was appointed by myself as State Highway Engineer at a salary of \$6,000 per year, it being determined by myself that the doing away with the Chief Engineer at a salary of \$300.00 per month and the Assistant Chief Engineer at \$300.00 per month, and the appointing of the State Highway Engineer at \$500.00 per month, seemed to meet the requirements of the Department as well as satisfy the Attorney General's Office, that such would be within the law. But since that time Mr. Sevison has seen fit to hire a Construction Engineer which was before that time and since presumed to be Assistant Chief at a salary of \$250.00 per month, which overrides the terms contained in my appointment if there were any terms attached thereto.

And further than that, I wish to state that no contract exists between Mr. Sevison and the State Highway Department in any shape, manner or form.

Very sincerely,

P. H. McGURREN, Ex-Highway Commissioner.

P.H.McG:dl

Senator Watt moved that Senator Gronvold be made President Pro Tem Interim.

ROLL CALL

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aandahl	Guthrie	Owings
Aasen	Holl	Raschko
Beaton	Isaak	Skarvold

Bilden	Kamrath	Streibel
Blank	Lavik	Stucke
Blaisdell	Lemke	Thatcher
Brant	Leum	Thorson
Bridston	Lian	Trout
Braun	Magoffin	Troxel
Drew	Morgan	Tweten
Flatt	Morrison	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Young
Guenther	Olson, Mountrail	
Absent and not	voting:	
Dahl	Grenvold	Topp

Hill

robb

So Senator Gronvold was declared elected President Pro Tem Interim.

Senator Gronvold: Mr. President: I certainly appreciate the honor that has been extended to me and should I be called to the Chair, I shall do the best I can. I thank you.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, Senators:

Herman Thorson

A. N. Lavik

Gilbertson

Henry Leum

Relative to:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dol-lars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 411. A Concurrent Reso-lution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

Which the House has adopted.

MINNIE D. CRAIG, Chief Clerk.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

Was read the first time.

Senator Fowler moved that the rules be suspended and House Concurrent Resolution No. 411 be placed on Second Reading and Final Passage, which motion prevailed.

Senator Fowler moved that House Concurrent Resolution No. 411 be amended as follows:

In line 39, after the word "future," insert the language: "prior to January 1, 1941," which motion prevailed.

Senator Fowler moved that the rules be suspended and that House Concurrent Resolution No. 411 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senator Stucke moved that the Call of the Senate be dispensed with, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 288.

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the 15th Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit herewith the following resolution:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

Senator Fowler moved that the Senate do not concur in the House amendments to Senate Bill No. 40, which motion prevailed.

Senator Fowler moved that the President appoint the same Conference Committee to meet with a like committee from the House on Senate Bill No. 40, which motion prevailed.

And the President appointed as such committee, Senators: Fred J. Fredrickson,

T. E. Whelan,

Ben Gilbertson.

Senator Fowler demanded a roll call which was granted.

ROLL CALL

The question being on the motion of Senator 'I weten that the Senate concur in the House amendments to Senate Bill No. 40, the roll was called and there were ayes, 20; nays, 25; absent and not voting, 4.

Beaton	Lemke	Streibel
Bilden	Morrison	Stucke
Blank	Nelson, McKenzie	Thatcher
Braun	Olson, McHenry	Thorson
Greiser	Olson, Mountrail	Troxel
Holl	Owings	Tweten
Kamrath	Skarvold	

Those voting in the negative were: Aandahl Gronvold Morgan Aasen Guenther Nelson, Grand Fks. Blaisdell Guthrie Raschko Brant Isaak Trout Bridston Lavik Watt Whelan Leum Drew Flatt Wog Lian Fowler Magoffin Young Fredrickson Absent and not voting:

Dahl Hill Gilbertson

Topp

So the motion to accept the House amendments to Senate Bill No. 40 was declared lost.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return herewith the following resolution:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

Which the Senate has amended.

WM. J. LOWE, Secretary.

The President announced that the Senate would be on the 6th Order of Business.

FRIDAY, MARCH 3, 1939

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 260, have had the same under consideration and recommend that the Senate concede to all House amendments except the following:

In line 152, of the printed bill, strike out the words "seven per cent" and insert in lieu thereof the words "five and twotenths per cent."

For the Senate:	For the House:
M. R. Young	John J. Adam
Axel Olson	Robert Rait
J. B. Bridston	Peter Moe

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Young moved that the committee be discharged, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to concur in the amendments to:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

Bernt Anderson (McKenzie)

R. G. Beede Targie Trydahl

MINNIE D. CRAIG, Chief Clerk.

Senator Stucke moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 277.

And the President appointed as such Committee, Senators: J. C. Blaisdell

R. R. Morgan

Hjalmer Nelson (McKenzie)

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

WM. J. LOWE, Secretary.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 255, have had the same under consideration and beg leave to report that Senate Bill No. 255 as engrossed, be amended as follows:

In Section 1, strike out that portion of line 3 after the

word "of," all of line 4 up to the word "or," and insert in lieu thereof the following: "One Hundred and Ninety-six Thousand, Nine Hundred Dollars "\$196,900.00."

Line 9, strike out the figures "\$5,640.00" and insert in lieu thereof the figures "\$6,600.00."

Line 11, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$3,000.00."

Line 21, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$3,000.00."

Line 23, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$6,500.00."

Line 26, strike out the figures "\$650.00" and insert in lieu thereof the figures "\$800.00."

Line 31, strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$17,500.00."

For the Senate:

M. R. Young H. C. Guenther

R. M. Streibel

For the House: C. P. Ritter

Bernt Anderson (McKenzie)

T. O. Rohde

Senator Young moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Young moved the committee be discharged, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 255 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 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, 37; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

I nose voung m	the attituative were.	
Aandahl	Hill	Owings
Bilden	Holl	Raschko
Blaisdell	Isaak	Skarvold
Blank	Lavik	Streibel
Brant	Lemke	Stucke
Braun	Leum	Thatcher
Drew	Magoffin	Thorson
Flatt	Morgan	Trout
Fowler	Morrison	Tweten
Gilbertson	Nelson, Grand Fks.	Watt
Gronvold	Olson, McHenry	Whelan
Guenther	Olson, Mountrail	Young
Guthrie		
Those voting in	the negative were:	

Aasen

Absent and not voting: Beaton Greiser

1088

Topp

Bridston	Kamrath	Troxel
Dahl	Lian	Wog
Fredrickson	Nelson, McK	enzie

So the bill passed and the title was agreed to.

Senator Gilbertson 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.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

WM. J. LOWE, Secretary.

MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

And the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, Representatives:

Harry Semerad

T. O. Rohde

J. M. Morland

MINNIE D. CRAIG, Chief Clerk.

Senator Bridston moved that the President appoint a new Conference Committee to meet with a like committee from the House on Senate Bill No. 260.

And the President appointed as such committee, Senators: J. B. Bridston

Ed Hill

E. Magoffin.

MESSAGE FROM THE HOUSE

House of Representatives.

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict, and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Senator Thorson moved that the rules be suspended and that Senate Bill No. 226, as amended by the House, be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of 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, 29; nays, 3; absent and not voting, 17.

Those voting in t	he affirmative were:		
Aasen	Guenther	Owings	
Bilden	Holl	Skarvold	
Blaisdell	Isaak	Streibel	
Brant	Lemke	Stucke	
Bridston	Magoffin	Thorson	
Braun	Morgan	Trout	
Drew	Morrison	Tweten	
Fowler	Nelson, Grand Fks.	Whelan	
Fredrickson	Nelson, McKenzie	Young	
Gilbertson	Olson, McHenry		
Those voting in	the negative were:		
Blank	Olson, Mountrail	Thatcher	
Absent and not v			
Aandahl	Guthrie	Raschko	

Absent and no	t voting:	
Aandahl	Guthrie	Raschko
Beaton	Hill	Topp
Dahl	Kamrath	Troxel
Flatt	Lavik	Watt
Greiser	Leum	Wog
Gronvold	Lian	

So the bill passed and the title was agreed to and the Emergency Clause was declared lost.

REPORT OF SELECT COMMITTEE Mr. President: Your Conference Committee to whom was referred Senate Bill No. 40, have had the same under consideration and return the bill without recommendation.

For the Senate:	
Fred J. Fredrickson,	
T. E. Whelan.	

For the House: R. G. Beede,

Ben. Gilbertson.

R. R. Scholl, J. H. Heckman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted. Senator Fredrickson moved that the committee be discharged, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has passed:

Senate Bill No. 40. 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.

As amended with the amendments of the last Conference Committee.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

MINNIE D. CRAIG, Chief Clerk.

Senator Fowler moved that the report of the Conference Committee on Senate Bill No. 40, which came in without recommendation be withdrawn, which motion prevailed.

Senator Fowler moved that the rules be suspended and Senate Bill No. 40 be placed on Second Reading and Final Passage, which motion prevailed.

The roll was called on Senate Bill No. 40, as amended.

Senator Fowler moved that the roll call be repeated because of the numerous changes being made, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 40. 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, as amended, the roll was called and there were ayes, 38; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Aandahl	Guenther	Nelson, McKenzie	
Aasen	Guthrie	Olson, McHenry	
Bilden	Hill	Owings	
Blank	Holl	Raschko	
Blaisdell	Isaak	Skarvold	
Brant	Kamrath	Stucke	
Bridston	Lavik	Thatcher	
Braun	Leum	Thorson	
Drew	Lian	Tweten	
Fowler	Magoffin	Watt	
Fredrickson	Morgan	Whelan	
Gilbertson	Morrison	Young	
Gronvold	Nelson, Grand Fks.		
Those voting in	the negative were:		
Lemke	Olson, Mountrail	Streibel	

Absent and n	ot voting were:	
Beaton	Greiser	Troxei
Dahl	Торр	Wog
Flatt	Trout	
1		

So the bill passed and the title was agreed to and the Emergency Clause was declared carried.

Senator Fredrickson moved that the vote by which Senate Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 40. 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.

As agreed upon by the following Conference Committee: For the Senate: For the House:

or the	benate.
Fred	J. Fredrickson,
T. E.	Whelan,
Ben. (filbertson.

For the House: Leonas Myers, J. M. Anderson. Geo. R. Braun. WM. J. LOWE, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 158, have had the same under consideration and recommend that the Senate concur with the House on the original bill.

F	or	the	Senate:	

Herman Thorson
A. N. Lavik
Henry Leum.

For the House: Leonas Myers Geo. Schwartz Franklin Page.

Senator Thorson moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Thorson moved that the committee be discharged, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

MINNIE D. CRAIG, Chief Clerk.

Senator Thorson moved that the Senate do concur in the House amendments to House Bill No. 158, which motion prevailed.

Senator Thorson moved that the rules be suspended and House Bill No. 158 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senator Guthrie: Mr. President, I want to have my remarks recorded in the Journal. This bill takes away two hundred thousand doliars out of the school funds where it is badly needed—where the appropriations are not sufficient and the taxes are not sufficient to take care of the present appropriation, and it does that in spite of that fact; and for the benefit apparently of farmers who in the last two years received out of the sacred funds that belonged to the school children, a million in farm loans, which under the present circumstances it is impossible to repay and in spite of the fact that the million which we owe the hail fund, was made when conditions were lots better than now, and when the schools didn't need the money half as badly as they need it now.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

WM. J. LOWE, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; 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, 36; nays, 4; absent and not voting, 9.

Those voting in the		
Aandahl	Guthrie	Olson, Mountrail
Aasen	Hill	Owings
Bilden	Holl	Raschko
Blank	Isaak	Skarvold
Brant	Kamrath	Streibel
Bridston	Lavik	Stucke
Braun	Lemke	Thatcher
Fowler	Lian	Thorson
Fredrickson	Magoffin	Tweten
Gilbertson	Morgan	Watt
Gronvold	Morrison	Whelan
Guenther	Olson, McHenry	Young
Those voting in the	negative were .	

Blaisdell Leum

Nelson, Grand Fks.

Absent and no	ot voting:	
Reaton	Greiser	Trout
Dahl	Nelson, McKenzie	Troxel
Flatt	Topp	Wog
0 11 1 11		

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which House Bill No. 158 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Concurrent Resolution No. 288 was delivered to the Secretary of State on March 3, 1939.

W. J. TROUT, Chairman.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 260, have had the same under consideration and recommend that the Senate do concur on the House amendments.

For the House:
Harry Semerad
Fred Braun
T. O. Rohde

F

Senator Bridston moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Bridston moved that the committee be discharged, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

MINNIE D. CRAIG, Chief Clerk.

Senator Bridston moved that Senate Bill No. 260 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 35; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

Aandahl	Greiser	Morgan
Aasen	Gronvold	Morrison
Bilden	Guenther	Nelson, Grand Fks.
Blank	Guthrie	Olson, McHenry
Blaisdell	Hill	Olson, Mountrail

Holl	Skarvold
Isaak	Stucke
Kamrath	Tweten
Lavik	Watt
Leum	Whelan
Lian	Young
Magoffin	
	Isaak Kamrath Lavik Leum Lian

Those voting in the negative were:OwingsStreibelThorson

Absent and not voting:

Beaton	Nelson, McKenzie	Trout
Dahl	Raschko	Troxel
Flatt	Thatcher	Wog
Lemke	Торр	

So the bill passed and the title was agreed to.

Senator Hill moved that the vote by which Senate Bill No. 260 was passed be reconsidered and the motion to reconsider be laid on the table.

REPORTS OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 277 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 277, have had the same under consideration and are unable to agree and recommend that new Conference Committee be appointed.

For the Senate:	For the House:
J. C. Blaisdell, Jr.	Bernt Anderson (McKenzie)
R. R. Morgan	Targie Trydahl
Hjalmar Nelson	R. G. Beede

Senator Blaisdell moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Blaisdell moved that the committee be discharged, which motion prevailed.

Senator Blaisdell moved that the committee be shown as absent and not voting on roll calls because of being on Conference Committee, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Which the House has passed and your favorable consideration is requested.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

And the Speaker has appointed a new Conference Committee to act with a like committee from the Senate, Representatives:

Leonas Myers Harry Semerad Olaf Ostgulen.

MINNIE D. CRAIG, Chief Clerk.

Senator Fowler moved that House Concurrent Resolution No. 412 be placed before the Senate, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Was read the first time.

Senator Fowler moved that the rules be suspended and House Concurrent Resolution No. 412 be adopted, which motion prevailed.

Senator Fowler moved that House Concurrent Resolution No. 413 be placed before the Senate, which motion prevailed.

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Was read the first time.

Senator Gilbertson moved that the rules be suspended and House Concurrent Resolution No. 413 be adopted, which motion prevailed.

Senator Blaisdell moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 277.

And the President appointed as such committee, Senators: R. R. Morgan

J. C. Blaisdell

Hjalmar Nelson (McKenzie).

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and -Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Senators:

R. R. Morgan

J. C. Blaisdell

Hjalmar Nelson (McKenzie).

WM. J. LOWE, Secretary.

Senator Fowler moved that action on the Conference Committee report on Senate Bill No. 277 be deferred until messages are received from the House regarding Senate Bills No. 123 and 141, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

The President announced that the Senate would be on the 15th Order of Business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return herewith the following resolutions:

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Which the Senate has adopted.

WM. J. LOWE, Secretary.

Mr. Speaker: I have the honor to return herewith the following:

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

Which the President has signed.

WM. J. LOWE, Secretary.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 123, have had the same under consideration and recommend:

1. That the House recede from all of its amendments to Senate Bill No. 123.

2. That Senate Bill No. 123 be amended as follows:

In line 5 of the engrossed bill strike out the figures "1,034,-942" and insert in lieu thereof the figures "1,414,700".

In line 10 of the engrossed bill strike out the figures "1,034,942" and insert in lieu thereof "1,414,700".

In line 12 of the engrossed bill strike out the figures "116,942" and insert in lieu thereof "127,900".

Strike out all of lines 20 to 28 inclusive and insert in lieu thereof the following:

20.	Salaries and Wages\$	90,000
21.	Travel	16,800
22.	Postage	8,000
23.	Telephone and Telegraph	600
24.	Printing	4,800
25.	Office Supplies	1,500
26.	Rental of Équipment	600
27.	Operating Expense	1,000
28.	Purchase of Equipment	3,600
29.	Board Member Expense	1,000
	Total\$	127.900
For th	ne Senate: For the House:	
Wm	. Watt, R. G. Beede,	
M	J. Raschko, Bernt Anderson (1	(cKenzie)
	C. Guenther. Harry Semerad.	

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Watt moved that the committee be discharged, which motion prevailed.

Senator Watt moved that the committee be shown as absent and not voting on roll calls, because of being on Conference Committee, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

MINNIE D. CRAIG, Chief Clerk. Senator Watt moved that the rules be suspended and Senate Bill No. 123 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 3; absent and not voting, 12.

Those voting in the affirmative were:

Aandahl	Guthrie	Nelson, McKenzie
Beaton	Hill	Olson, McHenry
Bilden	Holl	Owings
Blaisdell	Isaak	Skarvold
Bridston	Kamrath	Streibel
Braun	Lavik	Stucke
Flatt	Leum	Thorson
Fowler	Lian	Tweten
Fredrickson	Magoffin	Watt
Gilbertson	Morrison	Whelan
Greiser	Nelson, Grand Fks.	Young
Guenther		

Those voting in	the negative were:	
Blank	Olson, Mountrail	Thatcher

Absent and not voting:

Aasen	Gronvold	Topp
Brant	Lemke	Trout
Danl	Morgan	Troxel
Drew	Raschko	Wog
Co the hill not	and and the title man	a mused to

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which Senate Bill No. 123 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the House recede from all its amendments to Senate Bill No. 141.

In line 32 of the engrossed bill, strike out the sum of "68,500" and insert in lieu thereof the sum of "92,150."

Strike out all of lines 44 and 53, both inclusive, and insert in lieu thereof the following figures:

"44.	Salaries and Wages	\$50,000
45.	Travel	
46.	Postage	3,600
47.	Telephone and telegraph	2,400
48.	Printing	
49.	Office supplies	
50.	Other operating expense	1,750
51.	Purchase of equipment	
52.	Expense of Board Members	

Total.....\$92,150"

For the Senate:	For the House:
A. W. Fowler	Bernt Anderson (McKenzie)
G. F. Drew	L. K. Morland
J. B. Bridston	T. O. Rohde
J. D. DIRISton	I. O. Ronac

Senator Fowler moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Fowler moved that the committee be discharged, which motion prevailed.

Senator Fowler moved that the committee be shown as absent and not voting, on roll call, because of serving on Conference Committee, which motion prevailed.

Senator Fowler moved that the rules be suspended and Senate Bill No. 141 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

WM. J. LOWE, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 5; absent and not voting, 13.

Those voting in the affirmative were:

Morrison	Guenther	Nelson, Grand Fks.
Aandahl	Guthrie	Nelson, McKenzie
Beaton	Hill	Owings
Bilden	Holl	Skarvold
Blank	Isaak	Streibel
	Kamrath	Stucke
Bridston		
Braun	Lavik	Thorson
Flatt	Leum	Tweten
Fowler	Magoffin	Whelan
Fredrickson	Morgan	Young
Greiser		
Those voting in t	he negative were:	
Blaisdell	Olson, Mountrail	Watt
Olson, McHenry		
Absent and not	voting:	
Aasen	Gronvold	Topp
D		Topp

AasenGronvoldToppBrantLemkeTroutDahlLianTroxelDrewRaschkoWogGilbertsonGilbertson

So the bill passed and the title was agreed to.

Senator Fowler 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.

MESSAGE TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

WM. J. LOWE, Secretary.

MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration. MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Which the House has indefinitely postponed.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE TO THE SENATE

House of Representatives.

Bismarck, March 3, 1939.

Mr. President: I have the honor to inform you that the House has requested the return of:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Which the Speaker has signed and your signature is respectfully requested.

MINNIE D. CRAIG, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Which the President has signed.

WM. J. LOWE, Secretary.

MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 3, 1939.

Mr. President: I have the honor to return herewith the following bill which the House has passed:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

MINNIE D. CRAIG, Chief Clerk.

Senator Flatt moved that no further business be transacted except the enrolling and engrossing and signing of bills and that after such business has been fully concluded that the Senate adjourn sine die, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 255; Senate Bill No. 40; Senate Bill No. 277; Senate Bill No. 260; Senate Bill No. 239; Senate Bill No. 237; Senate Bill No. 226; Senate Bill No. 141; Senate Bill No. 123; Senate Bill No. 7; Senate Bill No. 1; Joint Memorial Resolution "B" and

Joint Memorial Resolution "C".

And find the same correctly enrolled.

W. J. TROUT, Chairman.

Senator Trout moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about sign:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 40. 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 President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

JOINT MEMORIAL RESOLUTION "B".

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 7. 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 the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

JOINT MEMORIAL RESOLUTION "C".

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber, Bismarck, March 3, 1939.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Senate Bill No. 7. 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.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2. of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Senate Bill No. 40. 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.

JOINT MEMORIAL RESOLUTION "B" and "C".

Which the President has signed and your signature is respectfully requested.

WM. J. LOWE, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or

Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Providing a Penalty for Violation Thereof; and Declaring an Emergency.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 7. 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.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932 Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency. Senate Bill No. 260. A Bill for an Act Amending and Re-enacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Senate Bill No. 40. 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 Estate and Limiting the Sale Sales 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.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Ex-pense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 1.

1

Was delivered to the Governor for his approval March 3, 1939.

W. J. TROUT, Chairman.

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The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 7

Senate Bill No. 123

Senate Bill No. 141

Senate Bill No. 226

Senate Bill No. 237

Senate Bill No. 255

Senate Bill No. 277

Senate Bill No. 260 Senate Bill No. 40

Senate Bill No. 239.

Were delivered to the Governor for his approval on March 3, 1939.

W. J. TROUT, Chairman.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, March 3, 1939.

Mr. President: I have the honor to return herewith the following Joint Memorial Resolutions:

JOINT MEMORIAL RESOLUTION "B." JOINT MEMORIAL RESOLUTION "C."

Which the Speaker has signed.

MINNIE D. CRAIG, Chief Clerk.

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REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

JOINT MEMORIAL RESOLUTION "B."

JOINT MEMORIAL RESOLUTION "C."

Were delivered to the Secretary of State for his approval on March 3, 1939.

W. J. TROUT, Chairman.

A committee from the House consisting of Representatives Scholl, Ista and Dike notified the Senate that the House had completed its business and was about to adjourn sine die.

Senator Flatt moved that the President appoint a committee of three to notify the House that the Senate had completed its work and was about to adjourn sine die, which motion prevailed.

And the President appointed as such committee: Senators Flatt, Guthrie and Morrison.

Senator Lemke moved that the President appoint a committee of three to notify the Governor that the Senate had completed its business and was about to adjourn sine die, which motion prevailed.

And the President appointed as such committee: Senators Lemke, Morgan and Brant.

The Committee appointed to notify the House that the Senate had completed its business and was about to adjourn sine die, reported that they had so notified the House and requested that they be discharged, which request was granted.

The Committee appointed to notify the Governor that the Senate had completed its business and was about to adjourn sine die, reported that they had so notified the Governor and requested that they be discharged, which request was granted.

Pursuant to the previous motion of Senator Flatt, the Senate stood adjourned sine die.

WM. J. LOWE, Secretary.



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RECORD OF BILLS AND RESOLUTIONS IN THE SENATE

Senate Bill No. 1-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for all of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein; and Declaring an Emergency.

Introduction, first reading and reference, 37.

Reported back, 509.

Other action or amendments, 564, 1063.

Second reading, 564, 1080.

To House, 585.

Returned to Senate, 1059.

Signed by President, 1104.

Sent to Governor, 1110.

Senate Bill No. 2-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 2. 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 and reference, 38.

Reported back, 192.

Other action or amendments, 204.

Second reading, 238.

To House, 242.

Returned to Senate, 1001.

Signed by President, 1051.

Sent to Governor, 1067.

Senate Bill No. 3-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 3. 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 and reference, 38.

Reported back, 192.

Other action or amendments, 204, 238.

Second reading, 256.

To House, 274.

Returned to Senate, 1001.

Signed by President, 1051.

Sent to Governor, 1067.

Senate Bill No. 4-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Introduction, first reading and reference, 38.

Reported back, 245.

Second reading, 280.

To House, 289.

Returned to Senate, 1001.

Signed by President, 1051.

Sent to Governor, 1067.

Senate Bill No. 5-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading and reference, 38.

Reported back, 193.

Other action or amendments, 204, 1042.

Second reading, 239, 1042.

To House, 242.

Returned to Senate, 1039.

Signed by President, 1056.

Sent to Governor, 1068.

Senate Bill No. 6-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Introduction, first reading and reference, 38. Reported back, 316. Other action or amendments, 1039, 1048. Second reading, 350, 1048. To House, 378. Returned to Senate, 1035. Signed by President, 1061. Sent to Governor, 1074.

Senate Bill No. 7-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Introduction, first reading and reference, 38. Reported back, 295. Other action or amendments, 1045, 1081. Second reading, 331, 1081. To House, 355. Returned to Senate, 1039. Signed by President, 1105.

Sent to Governor, 1110.

Senate Bill No. 8-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading and reference, 38. Reported back, 388. Other action or amendments, 1022. Second reading, 429, 1022. To House, 440. Returned to Senate, 1039. Signed by President, 1056. Sent to Governor, 1068.

Senate Bill No. 9-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Introduction, first reading and reference, 39. Reported back, 506. Other action or amendments, 1038. Second reading, 570, 1038. To House, 575. Returned to Senate, 1035. Signed by President, 1051. Sent to Governor, 1067.

Senate Bill No. 10-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association in Promoting Regional Fire Schools, as Provided for Under Chapter 137, Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 39. Reported back, 344. Other action or amendments, 502, 532, 534.

Second reading, 361.

To House, 378.

Senate Bill No. 11-(Aasen, Young and Braun)

Referred to Committee on Elections.

Senate Bill No. 11. A Bill for an Act Prohibiting any Person Who Was a Candidate for Nomination for Office at a Primary Election and Who Was Defeated for Said Office, From Being a Candidate for the Same Office at the Ensuing General Election.

Introduction, first reading and reference, 39. Reported back, 112, 167. Second reading, 182. To House, 190. Returned to Senate, 603. Signed by President, 625. Sent to Governor, 639. Senate Concurrent Resolution No. 12-(Thorson, Skarvold, Nelson of McKenzie)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 12. Relating to the Research by the Northern Federal Laboratory on Production of Power Alcohol.

Introduction, first reading and reference, 46. Reported back, 80. Adopted, 86. To House, 89.

Signed by President, 132. Sent to Secretary of State, 138.

Senate Bill No. 13-(Aandahl)

Referred to Committee on State Affairs.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 4141 of the Compiled Laws of North Dakota for 1913, Relating to the Organization for the Annual or Special Township Meetings.

Introduction, first reading and reference, 46.

Reported back, 80.

Second reading, 88.

To House, 89.

Returned to Senate, 112.

Senate Bill No. 14-(Beaton)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 14. 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 and reference, 47.

Reported back, 73.

Second reading, 82.

To House, 84.

Returned to Senate, 134.

Senate Bill No. 15-(Leum)

Referred to Committee on State Affairs.

Senate Bill No. 15. A Bill for an Act Relating to and Concerning the Labeling of Beer and Malt Beverage Offered or Exposed for Sale, or Sold Within This State, and Providing Penalties for Violations Thereof.

Introduction, first reading and reference, 53. Reported back, 108.

Senate Bill No. 16-(Leum and Thatcher)

Referred to Committee on Judiciary.

Senate Bill No. 16. A Bill for an Act Relating to the foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, how Execution may Issue Upon Deficiency Judgment Entered, and Repealing Section 8100 of the Compiled Laws of North Dakota for the Year 1913, Chapter 155 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937.

Introduction, first reading and reference, 53. Reported back, 158. Senate Concurrent Resolution No. 17—(Nelson of McKenzie, Skarvold and Thorson)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 17. Relating to Fuel Briquettes to Be Made from Straw.

Introduction, first reading and reference, 53.

Adopted, 81.

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To House, 84.

Returned to Senate, 90.

Signed by President, 103.

Sent to Secretary of State, 119.

Senate Concurrent Resolution No. 18—(Tweten, Olson of Mountrail, Blank)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 18. Memorializing Congress to Pass the Townsend Recovery Plan.

Introduction, first reading and reference, 55. Adopted, 81.

To House, 84.

Returned to Senate, 90.

Signed by President, 103.

Sent to Secretary of State, 119.

Senate Concurrent Resolution No. 19—(Beaton, Nelson of Mc-Kenzie and Bilden)

Referred to Committee on Education.

Senate Concurrent Resolution No. 19. Federal Aid for Schools.

Introduction, first reading and reference, 55. Reported back, 326.

Senate Concurrent Resolution No. 20 — (Stucke, Owings, Thatcher and Streibel)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 20. Memorializing Congress for Establishment of Prices on Farm Products Equal to the Cost of Production.

Introduction, first reading and reference, 55.

Reported back, 74.

Adopted, 81.

To House, 84.

Returned to Senate, 90.

Signed by President, 103.

Sent to Secretary of State, 119.

Senate Concurrent Resolution No. 21-(Olson of McHenry, Thorson, Kamrath and Tweten)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 21. A Concurrent Resolution Requesting Congress to Include "Cost of Production" in the Soil Conservation Act, Together With Its Insurance Features.

Introduction, first reading and reference, 55. Reported back, 74. Other action or amendments, 79. Adopted, 81. To House, 84. Returned to Senate, 90. Signed by President, 110. Sent to Secretary of State, 128.

Senate Bill No. 22-(Thatcher)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 22. A Bill for an Act to Amend and Reenact Chapter 220 of the Session Laws of 1929 Relating to the Distribution of Seeds and Seedlings by the State Forester, and Declaring an Emergency.

Introduction, first reading and reference, 58. Reported back, 91. Second reading, 100. To House, 106. Returned to Senate, 143. Signed by President, 158. Sent to Governor, 170.

Senate Bill No. 23-(Fredrickson)

Referred to Committee on Judiciary.

Senate Bill No. 23. A Bill for an Act to Amend and Reenact Sections 4535, 4538 and 4539 of Chapter 12 of the Compiled Laws of North Dakota for 1913; Relating to Election and Terms of Directors.

Introduction, first reading and reference, 58. Reported back, 85. Second reading, 100. To House, 106. Returned to Senate, 249. Signed by President Pro Tem, 263. Sent to Governor, 272.

Senate Concurrent Resolution No. 24—(Thatcher, Brant, Morrison and Holl)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 24. Urging the Establishment of a Division of Co-operatives in the Department of Agriculture.

Introduction, first reading and reference, 58. Reported back, 80. Adopted, 86. To House, 89. Returned to Senate, 126. Signed by President, 138. Sent to Secretary of State, 146.

Senate Concurrent Resolution No. 25-(Morrison)

Referred to Committee on Education.

Senate Concurrent Resolution No. "25." A Concurrent Resolution Urging Enactment of the Harrison-Fletcher Bill for the Benefit of Needy Schools, and for the Expansion of the Smith-Hughes Act.

Introduction, first reading and reference, 58. Reported back, 327.

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Second reading, 356. To House, 379. Returned to Senate, 663. Signed by President, 723. Sent to Governor, 939.

Senate Bill No. 26-(Committee on Taxes and Tax Laws)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 26. A Bill for an Act to Impose a Tax on the Storage, Use or Consumption in this State of Tangible Personal Property as Such Terms are Defined Herein: to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act and Declaring an Emergency.

Introduction, first reading and reference, 60. Reported back, 80. Other action or amendments, 951, 955, 1022, 1024, 1026. Second reading, 92, 1025. To House, 94. Returned to Senate, 948. Signed by President, 1051. Sent to Governor, 1067.

Senate Bill No. 27-(Kamrath)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 27. A Bill for an Act Providing That in Proceedings Taken Under the Provisions of Chapter 266 of the Session Laws of 1927, no Tax Deed Shall Be Issued Prior to October 1, 1939, and the Period of Redemption from Any Tax Sale Made Under the Provisions of Said Chapter is Hereby Extended to October 1, 1939, and Declaring an Emergency.

Introduction, first reading and reference, 60. Reported back, 64. Other action or amendments, 70. Second reading, 70. To House, 73. Returned to Senate, 113. Signed by President, 124. Sent to Governor, 131.

Senate Bill No. 28-(Bilden and Fredrickson)

Referred to Committee on Corporations.

Senate Bill No. 28. A Bill for an Act to Amend and Reenact Paragraph (c) of Subsection (2) of Section 4, of Chapter 196, Laws of 1927, as Amended by Chapter 169, Laws of 1929, and Chapter 195, Laws of 1931, Relating to Bond Issues of Cities to Permit the Issuance of Bonds for the Joint Construction of a Water and Sewer System and Legalizing Elections Heretofore Held to Vote Bonds for Such Purpose, and Declarng and Emergency.

Introduction, first reading and reference, 61.

Reported back, 79.

Second reading, 87.

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Returned to Senate, 126. Signed by President, 138. Sent to Governor, 146.

Senate Bill No. 29-(Streibel)

Referred to Committee on Education.

Senate Bill No. 29. A Bill for an Act to Amend and Reenact Section 1189 of the Compiled Laws of 1913, as Amended by Chapter 236 of the 1931 Session Laws of North Dakota; and to Provide for Minimum Attendance Under Which School Boards May Discontinue a School.

Introduction, first reading and reference, 65. Reported back, 373. Second reading, 400. To House, 414. Returned to Senate, 694. Signed by President, 724. Sent to Governor, 892.

Senate Bill No. 30-(Lavik, by request)

Referred to Committee on Judiciary.

Senate Bill No. 30. A Bill for an Act to Amend and Reenact Chapter 158, Laws of 1933, Relating to the Foreclosure of Real Estate Mortgages by Advertisement.

Introduction, first reading and reference, 65.

Reported back, 85, 231.

Other action or amendments, 100.

Second reading, 256.

To House, 265.

Returned to Senate, 846.

Senate Concurrent Resolution No. 31—(Young, Owings, Guenther)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 31. Urging Congress of the United States to Establish Work Projects for Farmers.

Introduction, first reading and reference, 65. Adopted, 81. To House, 84. Returned to Senate, 90. Signed by President, 104. Sent to Secretary of State, 119.

Senate Bill No. 32—(Leum, Aasen and Nelson of Grand Forks) Referred to Committee on State Affairs.

Senate Bill No. 32. A Bill for an Act to Amend Section 396a8 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 315 of the Session Laws for 1931, Relating to Premiums Due and Workmen's Compensation Bureau.

Introduction, first reading and reference, 69. Reported back, 233, 346. Other action or amendments, 234, 235. Second reading, 368. To House, 403. Returned to Senate, 842. Senate Bill No. 33-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the State Criminal Identification Bureau and for the Exercise of Powers Conferred and Discharge of the Duties Imposed Upon the State Superintendent of Criminal Identification for the Period from July 1, 1939, to June 30, 1941.

Introduction, first reading and reference, 70. Reported back, 438.

Senate Bill No. 34-(Thorson)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 34. A Bill for an Act to Amend and Reenact Section 5 and Section 9 of Chapter 4 of the Session Laws of North Dakota for 1935.

Introduction, first reading and reference, 70.

Reported back, 91.

Second reading, 101.

To House, 106.

Returned to Senate, 663.

Signed by President, 723.

Sent to Governor, 893.

Senate Bill No. 35—(Young, Blaisdell, Fowler, Dahl, Braun, Brant, Hill and Lavik)

Referred to Committee on Elections.

Senate Bill No. 35. A Bill for an Act to Amend and Reenact Sections 859 and 860 of the Compiled Laws for the Year 1913, Relating to the Form of Party Primary Election Ballots and the Manner of Voting the Same.

Introduction, first reading and reference, 70.

Reported back, 112.

Other action or amendments, 122, 263, 347, 353, 480, 483, Second reading, 122, 481.

To House, 126. Returned to Senate, 250.

Signed by President, 587.

Sent to Governor, 605.

Senate Bill No. 36-(Holl)

Referred to Committee on Judiciary.

Senate Bill No. 36. A Bill for an Act to Amend and Reenact Section 2078 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 230, Session Laws of 1929, Relating to Exemption from Taxation.

Introduction, first reading and reference, 70. Reported back, 132.

Senate Bill No. 37—(Nelson of Grand Forks, Whelan, Wog, Blank, Guthrie, Braun and Fowler)

Referred to Committee on State Affairs.

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Senate Bill No. 37. A Bill for an Act to Create and Establish The State Board of Finance and Administration, Defining Its Powers, Duties and Obligations, Fixing the Terms and Compensation of the Members of Said Board, Providing an Appropriation, Repealing All Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Introduction, first reading and reference, 70. Reported back, 162.

Other action or amendments, 169, 183.

Second reading, 184.

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Returned to Senate, 846.

Senate Bill No. 38—(Morrison, Bilden and Young)

Referred to Committee on State Affairs.

Senate Bill No. 38. A Bill for an Act Providing for the Keeping of All Inventories, Books, Invoices and Records of Chain Retail and Commercial Institutions, at Each Local Unit or Place of Business of Any Such Institution or Branch Institution Thereof in the State of North Dakota, and Declaring an Emergency.

Introduction, first reading and reference, 77. Reported back, 425.

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Other action or amendments, 425, 439.

Senate Bill No. 39-(Young, Bilden and Braun)

Referred to Committee on Insurance.

Senate Bill No. 39. A Bill for an Act to Repeal Chapter 168 of the Session Laws of the State of North Dakota for 1927, as Amended by Chapter 151 of the Session Laws of North Dakota for 1929, Relating to the Investment of Funds of County Mutual Insurance Companies, and Prescribing the Character of the Investment.

Introduction, first reading and reference, 77.

Reported back, 112.

Second reading, 123.

To House, 126.

Returned to Senate, 604.

Signed by President, 625.

Sent to Governor, 639.

Senate Bill No. 40—(Thatcher, Young, Guthrie, Lemke and Morrison)

Referred to Committee on Judiciary.

Senate Bill No. 40. 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.

Introduction, first reading and reference, 77. Reported back, 168. Other action or amendments, 740, see page 1, errata sheet; 894, 903, 973, 974, 980, 1075, 1086, 1090.

Second reading, 185, 1091.

To House, 189.

Returned to Senate, 738.

Signed by President, 1105.

Sent to Governor, 1107.

Senate Bill No. 41—(Thorson, Nelson of Grand Forks, Wog, Morrison and Drew)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 41. A Bill for an Act Declaring All Tax Charges Based on Original Final Values of Property Assessed by Local Assessors, in Excess of Amount That Would Have Been Charged Had Said Original Final Value Been Limited to the Full and True Value in Money, Null and Void; Providing Remedy to the Taxpayer; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Introduction, first reading and reference, 82. Reported back, 460. Other action or amendments, 492, 502. Second reading, 492, 503. To House, 566. Returned to Senate, 731. Signed by President, 878. Sent to Governor, 1004.

Senate Concurrent Resolution No. 42-(Raschko)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 42. Re-establishing and Rehabilitating the Foundation Herds of Livestock for the Farmers and Ranchers of the State of North Dakota.

Introduction, first reading and reference, 82.

Adopted, 112.

To House, 117.

Returned to Senate, 143.

Signed by President, 159.

Sent to Secretary of State, 170.

Senate Bill No. 43-(Fowler)

Referred to Committee on Corporations.

Senate Bill No. 43. A Bill for an Act to Amend and Reenact Section 3790 of the Compiled Laws of the State of North Dakota for the Year 1913 With Reference to Boards of City Commissioners and Salaries Paid Thereto.

Introduction, first reading and reference, 82. Reported back, 91.

Second reading, 101.

To House, 106.

Returned to Senate, 325.

Senate Concurrent Resolution No. 44—(Owings, Wog, Guthrie and Fowler)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 44. Memorializing Congress to Make Credit Immediately Available to Finance Wheat Crop Insurance.

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Introduction, first reading and reference, 82. Other action or amendments, 107. Adopted, 112. To House, 117. Returned to Senate, 143. Signed by President, 159. Sent to Secretary of State, 170.

Senate Concurrent Resolution No. 45-(Thatcher and Young)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 45. A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

Introduction, first reading and reference, 86. Reported back, 161.

Senate Bill No. 46-(Thatcher and Young)

Referred to Committee on Apportionment.

Senate Bill No. 46. A Bill for an Act to Amend and Reenact Chapter 7 of the Session Laws of the State of North Dakota for the Year 1931. Introduction, first reading and reference, 86.

Introduction, first reading and reference, 86. Reported back, 162.

Senate Bill No. 47—(Committee on Appropriations)

Referred to the Committee on Appropriations.

Senate Bill No. 47. 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-fifth Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Introduction, first reading and reference, 86.

Other action or amendments, 119.

Second reading, 130.

To House, 134.

Returned to Senate, 794.

Signed by President, 878.

Sent to Governor, 1004.

Senate Bill No. 48-(Committee on Taxes and Tax Laws)

Referred to the Committee on Taxes and Tax Laws.

Senate Bill No. 48. A Bill for an Act to Amend and Reenact Chapter 240 of the Session Laws of North Dakota for 1937, Providing for an Adjustment of Delinquent Taxes for 1937 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 86.

Reported back, 148.

Other action or amendments, 179, 195.

Second reading, 215. To House, 228. Returned to Senate, 291.

Senate Bill No. 49-(Committee on Taxes and Tax Laws)

Referred to the Committee on Taxes and Tax Laws.

Senate Bill No. 49. A Bill for an Act to Amend and Reenact Chapter 245 of the Session Laws of 1937. An Act to Encourage and Promote the Payment of Taxes by Providing for a Rebate on Prepayments.

Introduction, first reading and reference, 87. Reported back, 98. Other action or amendments, 394, 395, 407. Second reading, 109, 396. To House, 111, 446. Returned to Senate, 166. Signed by President, 445. Sent to Governor, 449.

Senate Bill No. 50-(Wog and Raschko)

Referred to the Committee on State Affairs.

Senate Bill No. 50. A Bill for an Act to Amend and Reenact Sections 1 and 13 of Chapter 92 of the Session Laws of 1933, Providing for the Consolidation of Counties and Parts of Counties, the Petition Therefor, and the Liabilities and Debts of Counties Affected; and Repealing All Acts in Conflict Herewith.

Introduction, first reading and reference, 87. Reported back, 108. Other action or amendments, 697. Second reading, 114. To House, 117. Returned to Senate, 691. Signed by President, 724. Sent to Governor, 892.

Senate Bill No. 51-(Young, Blaisdell, Thatcher, Braun and Blank)

Referred to the Committee on Taxes and Tax Laws.

Senate Bill No. 51. A Bill for an Act Providing for the Redemption of Real Estate Forfeited to the County for Delinquent Taxes by Former Owners, Prescribing the Conditions Therefor, Providing for the Repurchase of Real Estate Forfeited to the County for Delinquent Taxes on Contract for Deed, Prescribing the Terms Therefor, and Declaring an Emergency.

Introduction, first reading and reference, 87.

Reported back, 169.

Second reading, 182.

To House, 190.

Returned to Senate, 348.

Signed by President, 385.

Sent to Governor, 400.

Senate Bill No. 52-(Committee on Taxes and Tax Laws)

Referred to the Committee on Taxes and Tax Laws.

Senate Bill No. 52. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for

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the Year 1937, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 91. Reported back, 107. Second reading, 113. To House, 117. Returned to Senate, 271.

Senate Bill No. 53-(Committee on Appropriations)

Referred to the Committee on Appropriations.

Senate Bill No. 53. A Bill for an Act to Repeal Section 1796a5 of the Supplement to the Compiled Laws of 1913, Relating to the Appropriation for the Annual Encampment of the Grand Army of the Republic.

Introduction, first reading and reference, 91.

Reported back, 107.

Second reading, 121.

To House, 126.

Returned to Senate, 390.

Senate Bill No. 54—(Committee on Appropriations.)

Referred to Committee on Appropriations.

Senate Bill No. 54. A Bill for an Act to Amend and Reenact Section 17, Chapter 27, of the Session Laws of 1929, Relating to Banking, Regulating the Administration of the Affairs of Insolvent Banks, Providing for Their Liquidation, Vesting the Supreme Court With Jurisdiction of Such Liquidation Proceedings and Requesting it to Assume Original Jurisdiction in Furtherance of the Public Interest, Creating the Position of Supreme Court Commissioner, Fixing His Compensation and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks and Continuing Receiverships, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of This Act, and Directing the Supreme Court to Exercise Its Supervisory Authority Over the District Court in Proceedings for Liquidating the Affairs of Insolvent Banks, and Providing for the Re-opening and Re-organization of Closed or Suspended Banks, and Providing for Liquidation of Closed Banks by the Depositors Therein, and Designating a Custodian of Records and Property After Winding up Receiverships, and Providing for the Covering Into the General Fund of the State of Unclaimed Dividends.

Introduction, first reading and reference, 92. Reported back, 118.

Senate Bill No. 55-(Hill, Tweten and Blank)

Referred to Committee on Counties.

Re-referred to Committee on Judiciary.

Senate Bill No. 55. A Bill for an Act to Amend and Reenact Chapter 195, Session Laws of 1935 as Amended Relating to Funding and Refunding Existing Indebtedness of Municipalities, Validating Proceedings Thereunder, and Declaring an Emergency.

Introduction, first reading and reference, 92.

Reported back, 141.

Other action or amendments, 154.

Second reading, 154, 736. To House, 160. Returned to Senate, 735. Signed by President, 879. Sent to Governor, 1004.

Senate Bill No. 56-(Isaak, Streibel and Thorson)

Referred to Committee on Counties.

Re-referred to Committee on State Affairs.

Senate Bill No. 56. A Bill for an Act Amending and Reenacting the Initiated Measure 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 30, 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," Adopted and Approved by the Electors at the June 29, 1932, Primary Election, Fixing Allowances for Mileage and Travel Expense of County Officials and Their Deputies; and Repealing Chapter 119, Session Laws of 1931, and All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 92. Reported back, 297. Other action or amendments, 331, 359. Second reading, 332, 359. To House, 379. Returned to Senate, 794. Signed by President, 878. Sent to Governor, 1004.

Senate Bill No. 57-(Committee on Public Safety)

Referred to Committee on Public Safety.

Senate Bill No. 57. A Bill for an Act Relating to the Licensing of Persons Operating Motor Vehicles Upon Highways and to Make Uniform the Law Relating Thereto.

Introduction, first reading and reference, 99. Reported back, 235.

Senate Bill No. 58-(Guenther, Watt, Flatt and Lavik)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 58. A Bill for an Act to Impose a Tax Upon Dogs, and Coyotes or Wolves Kept as Domestic Animals, Providing for Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs, and Coyotes or Wolves Kept as Domestic Animals 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, and Coyotes or Wolves Kept as Domestic Animals; Providing for the Killing of Dogs, and Coyotes and Wolves Kept as Domestic Animals, 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.

Introduction, first reading and reference, 99. Reported back, 151. Senate Bill No. 59-(Gilbertson, Tweten, Hill and Dahl)

Referred to Committee on Judiciary.

Senate Bill No. 59. A Bill for an Act Relating to the Administration of Insolvent Banking Institutions; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 99.

Reported back, 141.

Other action or amendments, 141, 152.

Senate Bill No. 60—(Committee on Military and Indian Affairs)

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 60. A Bill for an Act to Amend and Reenact Section 9, of Chapter 213, of the 1935 Session Laws, Providing That State and Municipal Officers and Employees Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading and reference, 108. Reported back, 143. Second reading, 155. To House, 160. Returned to Senate, 271. Signed by President, 302. Sent to Governor, 333.

Senate Bill No. 61—(Committee on State Affairs)

Referred to Committee on State Affairs.

Senate Bill No. 61. A Bill for an Act to Regulate the Sale of Heating Oil and Diesel Fuel; to Provide Specifications Therefor, and for Inspection Thereof; to Provide for Inspection Fees, the Collection and Disposition Thereof; to Define the Duties of the State Food Commissioner and Chemist as Regards Such Inspection and Providing Penalties for Violation of the Act.

Introduction, first reading and reference, 108. Reported back, 127.

Other action or amendments, 867, 891.

Second reading, 137, 867.

To House, 141.

Returned to Senate, 867.

Signed by President, 922.

Sent to Governor, 1004.

Senate Bill No. 62—(Committee on State Affairs)

Referred to Committee on State Affairs.

Senate Bill No. 62. A Bill for an Act to Amend and Reenact Section 2, of Chapter 177, Laws of North Dakota for 1927, as Amended by Chapter 146, Laws of North Dakota for 1935, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Introduction, first reading and reference, 109. Reported back, 169.

Other action or amendments, 169.

Senate Bill No. 63—(Trout, Guenther, Dahl and Olson of Mountrail)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 63. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possession, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City or Village of the State Having a Population of Two Hundred or More; the Levy and Collection of a State Tax Thereon; the Duties of the State Tax Commissioner; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of This Act.

Introduction, first reading and reference, 109. Reported back, 268.

Other action or amendments, 327, 353, 354. Second reading, 305.

Senate Concurrent Resolution No. 64-(Trout and Whelan)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 64. A Concurrent Resolution Memorializing the Congress of the United States to Provide Funds for the Payment of a Proportion of the Outstanding Indebtedness of the Taxing District, in Which the Federal Government Has Made or Will Make Land Purchases.

Introduction, first reading and reference, 108. Reported back, 127. Second reading, 135. To House, 141. Returned to Senate, 195. Signed by President, 218. Sent to Secretary of State, 243.

Senate Bill No. 65-(Committee on Taxes and Tax Laws)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 65. A Bill for an Act Levying and Imposing a Tax to Carry Out the Provisions of That Certain Initiated Measure Adopted at the General Election Novem-ber 8, 1938, Entitled "An Act Amending and Re-enacting Section 3 of Chapter 211 of the Session Laws of North Dakota for 1937, and Providing That the Amount of Assistance Which Any Person Shall Receive Shall be Sufficient When Added to All Other Income of Recipient to Provide Such Person With a Reasonable Subsistence Compatible With Decency and Health But Shall Not be Less Than a Minimum of Forty Dollars (\$40.00) Per Month Except That it Shall Not be Less than a Minimum of Thirty Dollars (\$30.00) Per Month for Each Recipient Where There Is More Than One Recipient in a Family and Each County Shall Reimburse the State Agency for Fifteen Per Cent of the Amount Expended for Such Assistance in Such County in Excess of the Amount Provided by the Federal Government and Repealing All Acts and Parts of Acts in Conflict Herewith"; Providing That All Funds Derived From Such Tax Shall be Paid Into the State Treasury and Shall be Deposited in

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the State Public Welfare Fund in Said Treasury and Disbursed by the Public Welfare Board of North Dakota as Provided by Law; and Providing for the Submission of This Act to a Vote of the Electors of the State of North Dakota for Their Approval or Rejection and Providing That If This Act Is Rejected at Such Election it Shall be of No Force or Effect, Making an Appropriation, and Declaring an Emergency.

Introduction, first reading and reference, 120. Reported back, 463. Second reading, 495. To House, 549. Returned to Senate, 693.

Senate Bill No. 66-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 66. A Bill for an Act to Repeal Section 17, Chapter 27, of the Session Laws of 1929 Relating to the Standing Appropriation for the Supreme Court Commissioner.

Introduction, first reading and reference, 120. Reported back, 135. Second reading, 145. To House, 149. Returned to Senate, 271. Signed by President, 302. Sent to Governor, 333.

Senate Concurrent Resolution No. 67-(Morrison and Young)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 67. A Concurrent Resolution Requesting Congress to Enact Legislation Permitting Payment of Seed Loans Bushel for Bushel.

Introduction, first reading and reference, 128.

Reported back, 152.

Second reading, 163.

To House, 166.

Returned to Senate, 205.

Signed by President, 241.

Sent to Secretary of State, 252.

Senate Bill No. 68-(Committee on Insurance)

Referred to Committee on Appropriations.

Senate Bill No. 68. A Bill for an Act to Amend and Reenact Section 4 of Chapter 152 of the Session Laws of 1929, Relating to an Appropriation for the Necessary Costs of Investigations, Etc., of Fire Insurance Rates.

Introduction, first reading and reference, 120.

Reported back, 507.

Second reading, 571.

To House, 575.

Returned to Senate, 794.

Signed by President, 878.

Sent to Governor, 1004.

Senate Bill No. 69—(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 69. A Bill for an Act to Amend and Re-

enact Section 4924, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 79 of the Session Laws of 1921, Relating to the Taxation of Insurance Companies.

Introduction, first reading and reference, 120. Reported back, 162. Second reading, 173. To House, 176. Returned to Senate, 731. Signed by President, 879. Sent to Governor, 1004.

Senate Bill No. 70-(Holl)

Referred to Committee on Judiciary.

Senate Bill No. 70. A Bill for an Act to Repeal Chapter 121 of the Session Laws of the State of North Dakota for the Year 1931 Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance, and Declaring an Emergency Exists.

Introduction, first reading and reference, 129. Reported back, 245.

Senate Bill No. 71-(Brant and Dahl)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 71. A Bill for an Act to Amend and Reenact Section 4 of Chapter 249 of the Session Laws of 1937, Providing for Certain Credits and Exemptions and Providing for Payment of a Sales Tax on Sales of Motor Vehicle Fuels Upon Which Refunds of Special Taxes are Allowed, and Declaring an Emergency.

Introduction, first reading and reference, 129. Reported back, 204. Other action or amendments, 239. Second reading, 257. To House, 264. Returned to Senate, 844.

Senate Bill No. 72-(Bridston and Nelson of Grand Forks)

Referred to Committee on Elections.

Senate Bill No. 72. 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 and reference, 129.

Reported back, 168.

Senate Bill No. 73-(Leum and Blaisdell)

Referred to Committee on Highways.

Senate Bill No. 73. A Bill for an Act to Amend and Reenact Section 29 of Chapter 179 of the Session Laws of 1927 as Amended by Chapter 165 of the Session Laws of 1929 and Chapter 186 of the Session Laws of 1931, Relating to When INDEX

Fees on Motor Vehicles Become Delinquent, Providing Penalties, Providing for the Collection Thereof, and Declaring an Emergency.

Introduction, first reading and reference, 129.

Reported back, 194. Second reading, 213.

To House, 228.

Returned to Senate, 693.

Senate Bill No. 74—(Aasen, Guthrie, Nelson of Grand Forks, Fowler and Gronvold)

Referred to Committee on State Affairs.

Re-referred to Committee on Appropriations.

Senate Bill No. 74. A Bill for an Act to Provide for a Civil Service Commission and Providing for the Appointment of an Executive Secretary Thereto; Defining the Power, 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.

Introduction, first reading and reference, 129. Reported back, 151, 178. Other action or amendments, 196, 202, 213, 215. Second reading, 216. To House, 242.

Returned to Senate, 847.

Senate Bill No. 75-(Wog and Fowler)

Referred to Committee on Judiciary.

Senate Bill No. 75. A Bill for an Act to Amend and Reenact Section 3 of Paragraph 8540 of the Compiled Laws of the State of North Dakota for 1913, Relative to the Recording of Certain Instruments in the Records of County Courts.

Introduction, first reading and reference, 130. Reported back, 231.

Senate Bill No. 76—(Committee on Taxes and Tax Laws) Referred to Committee on Taxes and Tax Laws.

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Senate Bill No. 76. A Bill for an Act to Amend and Reenact Section 2 and Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom.

Introduction, first reading and reference, 136.

Reported back, 145.

Other action or amendments, 155.

Second reading, 155.

To House, 160.

Returned to Senate, 1046. Signed by President, 1057. Sent to Governor, 1068.

Senate Bill No. 77—(Blaisdell)

Referred to Committee on Education.

Senate Bill No. 77. A Bill for an Act Providing for Reciprocity in Fixing Tuition Fees of Non-resident Students Attending Institutions of Higher Education in the State of North Dakota and Defining Non-resident Students, and Fixing Registration and Tuition Fees of Non-resident Students Residing in Foreign Countries Other Than the Dominion of Canada.

Introduction, first reading and reference, 136. Reported back, 375. Second reading, 409. To House, 441. Returned to Senate, 840. Signed by the President, 872. Sent to Governor, 1004.

Senate Bill No. 78—(Young, Hill, Olson of Mountrail and Morrison)

Referred to Committee on State Affairs.

Senate Bill No. 78. A Bill for an Act Requiring Licenses for the Operation, Maintenance, Opening, and Establishment of Stores in This State, Prescribing the License and Filing Fees to be Paid Therefore, and the Disposition Thereof, and the Powers and Duties of the Tax Commissioner of the State of North Dakota in Connection Therewith, and Prescribing Penalties for the Violation Thereof.

Introduction, first reading and reference, 136. Reported back, 248. Other action or amendments, 288. Second reading, 286, 288. To House, 319. Returned to Senate, 843.

Senate Bill No. 79—(Committee on Agriculture and Livestock) Referred to Committee on Game and Fish.

Senate Bill No. 79. A Bill for an Act Providing for the Closing of the Hunting Season and Prohibiting all Hunting of Upland Game Birds Until the Opening of the Hunting Season in the Year 1942; Providing a Penalty for Violation of the Provisions Hereof.

Introduction, first reading and reference, 136. Reported back, 356. Other action or amendments, 356. Second reading, 383. To House, 457. Returned to Senate, 846.

Senate Bill No. 80-(Owings, Skarvold, Streibel, Nelson of McKenzie, Olson of Mountrail)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 80. A Bill for an Act Amending and Reenacting Section 1 of Chapter 241 of the Session Laws of INDEX

North Dakota for 1937 Imposing a Tax Upon the Net Income of Residents of North Dakota and Fixing the Rate of Such Tax; and Section 5 of Chapter 241 of the Session Laws of North Dakota for 1937 Levying an Annual Tax Upon the Net Income of Every Domestic and Every Foreign Corporation, and Fixing the Rate of Such Tax.

Introduction, first reading and reference, 136. Reported back, 464.

Senate Bill No. 81-(Nelson of Grand Forks, Morrison, Thatcher, Lian and Braun)

Referred to Committee on State Affairs.

Senate Bill No. 81. A Bill for an Act to Promote the Organization of Trade Groups for the Purpose of Co-operative Action Among Such Trade Groups; Empowering the Securities Commission to Investigate and Prescribe Reasonable Codes and Standards of Fair Competition; to Provide for Assessments to Defray the Cost of Investigation; Administration and Enforcement of the Act; Providing Penalties; Providing for the Severability of the Act; Repealing All Acts and Parts of Acts in Conflict Herewith; Limiting the Duration of the Act.

Introduction, first reading and reference, 138. Reported back, 232. Second reading, 251.

Senate Bill No. 82-(Magoffin)

Referred to Committee on Corporations.

Senate Bill No. 82. A Bill for an Act to Amend and Reenact Section Six of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, Relating to Park District Tax Levies.

Introduction, first reading and reference, 139.

Reported back, 269.

Other action or amendments, 722, 949, 973.

Second reading, 307, 949.

To House, 319.

Returned to Senate, 694, 947.

Signed by President, 1005.

Sent to Governor, 1068.

Senate Bill No. 83-(Holl and Trout)

Referred to Committee on Judiciary.

Senate Bill No. 83. A Bill for an Act to Amend and Reenact Section 5, of Chapter 276, Providing for the Compromise of Unpaid Taxes on Real Estate or Personal Property Sold to the County; Providing Manner of Payment of Compromised Amount; Prescribing Rate of Interest on Unpaid Balance of Compromised Amount; Providing for Withdrawal of Approval of Compromise Abatement; Providing for Suspension of Tax Collection Remedies; Providing for Enforcement of Contract; and Declaring an Emergency.

Introduction, first reading and reference, 144. Reported back, 231.

Senate Bill No. 84-(Troxel)

Referred to Committee on Highways.

Re-referred to Committee on Agriculture and Livestock.

Senate Bill No. 84. A Bill for an Act to Amend and Reenact Section 42, of Chapter 162, of the Session Laws of 1927, Relating to Restrictions as to Tire Equipment, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 144.

Reported back, 191.

Other action or amendments, 1044.

Second reading, 214, 1044.

To House, 228.

Returned to Senate, 1039.

Signed by President, 1061.

Sent to Governor, 1074.

Senate Bill No. 85-(Guthrie)

Referred to Committee on Public Health.

Senate Bill No. 85. A Bill for an Act to Provide Improved Protection of the Public Health Through Regulation of Slaughterhouses and Meat Markets; Providing for Licensing of the Same; Regulating the Slaughtering of Animals for Food; Providing for Registration of Competent Slaughterers; Authorizing a System of Marking Carcasses of Animals Slaughtered Under Proper Conditions by Competent Slaughterers; Granting Exemptions to Farmers and for Other Purposes.

Introduction, first reading and reference, 144. Reported back, 233.

Senate Bill No. 86-(Guthrie)

Referred to Committee on Public Health.

Senate Bill No. 86. A Bill for an Act to Amend and Reenact Section 2588 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 251 of the Session Laws of 1929. Relating to the Treatment of Patients at the North Dakota Tuberculosis Sanitarium, and Declaring an Emergency.

Introduction, first reading and reference, 145. Reported back, 233. Other action or amendments, 743. Second reading, 257, 743. To House, 265. Returned to Senate, 743. Signed by President, 879. Sent to Governor, 1004.

Senate Bill No. 87-(Guthrie)

Referred to Committee on Appropriations.

Senate Bill No. 87. A Bill for an Act Making an Appropriation for the Care of Tubercular Patients at the State Tuberculosis Sanitarium Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State. Effective November 1, 1937, and Declaring an Emergency.

Introduction, first reading and reference, 145. Reported back, 179. Senate Bill No. 88-(Committee on State Affairs)

Referred to Committee on Judiciary.

Re-referred to Committee on Appropriations.

Senate Bill No. 88. A Bill for an Act Providing for a Recodification and Revision of the Laws of North Dakota; Authorizing the Supreme Court to Create a Code Revision Commission; Defining Its Powers and Duties; Making an Appropriation Therefor; and Declaring an Emergency.

Introduction, first reading and reference, 147.

Reported back, 168, 179.

Second reading, 200.

To House, 202.

Returned to Senate, 694.

Signed by President, 722.

Sent to Governor, 893.

Senate Bill No. 89-(Guthrie, Morrison and Aandahl)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 89. A Bill for an Act to Amend and Reenact Sub-section (a) and Sub-section (f) of Section 5, Section 6, Section 8 and Section 9 of Chapter 9 of the Session Laws of North Dakota for 1937; Relating to the Organization of Soil Conservation Districts, the Election, Qualification and Tenure of Supervisors Thereof; and Relating to the Adoption and Enforcement of Land-use Regulations, and Declaring an Emergency.

Introduction, first reading and reference, 153. Reported back, 195. Other action or amendments, 817. Second reading, 212, 817. To House, 228. Returned to Senate, 817. Signed by President, 874. Sent to Governor, 1004.

Senate Bill No. 90-(Committee on Appropriations)

Referred to Committee on Highways.

Senate Bill No. 90. A Bill for an Act to Amend and Reenact Chapter 166 of the Session Laws of North Dakota for the Year 1937, Relating to the Application to Highway Purposes of All Special Taxes on Motor Vehicle Transportation and Declaring an Emergency.

Introduction, first reading and reference, 154. Reported back, 194. Other action or amendments, 636. Second reading, 213, 636. To House, 228. Returned to Senate, 635. Signed by President, 687. Sent to Governor, 731.

Senate Bill No. 91-(Magoffin and Watt)

Referred to Committee on State Affairs.

Senate Bill No. 91. A Bill for an Act Relating to the Crime of Murder in the First Degree and Prescribing the Penalties Therefor.

Introduction, first reading and reference, 154. Reported back, 233. Senate Bill No. 92-(Blaisdell)

Referred to Committee on Judiciary.

Senate Bill No. 92. A Bill for an Act to Provide That Real Estate Mortgages Not Renewed or Extended of Record Within Fifteen Years Shall be Discharged From Public Records, and Providing That Such Cancellation Shall Operate for All Purposes as a Discharge and Release of Said Mortgage.

Introduction, first reading and reference, 154. Reported back, 168.

Senate Bill No. 93-(Morrison, Morgan and Flatt)

Referred to Committee on State Affairs.

Senate Bill No. 93. A Bill for an Act to Prohibit the Use of Certain Properties of the State of North Dakota and Its Political Sub-divisions in the Discharge of Private Business; Providing Penalties for the Violation Thereof; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 164. Reported back, 434. Other action or amendments, 474. Second reading, 488.

To House, 531.

Returned to Senate, 846.

Senate Bill No. 94 - (Guenther, Thatcher, Gronvold and Lemke)

Referred to Committee on Appropriations.

Senate Bill No. 94. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Development of the International Peace Garden, American Section, in Rolette County, North Dakota.

Introduction, first reading and reference, 164.

Reported back, 344.

Other action or amendments, 856, 891.

Second reading, 361, 856.

To House, 378.

Returned to Senate, 856.

Signed by President, 922.

Sent to Governor, 1004.

Senate Bill No. 95-(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 95. A Bill for an Act to Amend and Reenact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed.

Introduction, first reading and reference, 164. Reported back, 278. Second reading, 313. To House, 319. Returned to Senate, 693.

Senate Bill No. 96-(Morgan, Wog and Blaisdell)

Referred to Committee on Judiciary.

Senate Bill No. 96. A Bill for an Act to Provide for the

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Removal of Certain Public Officers in Said Act Enumerated and Establishing the Procedure Therefor and Repealing Sections 685, 686, 688, 689, 690, 691, 692, 693, 694, and 695 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Sections 687, 10467, 10468, 10469, 10470, 10471, 10472, 10473, 10474, 10475, 10476, 10477, 10478, 10479, 10480, 10481 and 10482 of the Compiled Laws of the State of North Dakota for the Year 1913, and Chapter 230, of the Session Laws of the State of North Dakota for the Year 1927.

Introduction, first reading and reference, 164. Reported back, 232. Second reading, 258. To House, 265. Returned to Senate, 1040.

Senate Bill No. 97-(Committee on Taxes and Tax Laws)

Referred to Committee on Taxes and Tax Laws.

.Senate Bill No. 97. A Bill for an Act to Repeal Subsection 3 of Section 9 of Chapter 249 of the Session Laws of North Dakota for the Year 1937 Requiring Returns of Retail Sales Tax Collections to be Verified by Oath and Declaring an Emergency.

Introduction, first reading and reference, 170. Reported back, 204. Second reading, 239. To House, 242. Returned to Senate, 348.

Senate Bill No. 98-(Committee on Public Welfare)

Referred to Committee on Public Health.

Senate Bill No. 98. A Bill for an Act to Amend and Reenact Sections 506a2, 506a3, 506a4, 506a5, 506a6 as Amended by Chapter 208 of the Session Laws of 1927, 506a7, 506a9 as Amended by Chapter 208 of the Session Laws of 1927, 506a11, 506a12, 506a18, and 506a19 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Creating a Board of Nurse Examiners, Providing for the Appointment of an Inspector of Schools of Nursing, and for the Examination, Registration, Re-registration, and Regulation of Graduated Nurses, and Exempting Practical Nurses from Registration, and Empowering the Board to Prescribe the Minimum Course of Study and Standards for Schools of Nursing, and Prescribing a Penalty for the Violation Thereof. Also, Defining Terms as Used in This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 170. Reported back, 248. Second reading, 282. To House, 289. Returned to Senate, 664. Signed by President, 723. Sent to Governor, 893.

Senate Bill No. 99—(Committee on Public Welfare) Referred to Committee on Public Welfare. Senate Bill No. 99. A Bill for an Act to Amend and Reenact Section 2 of Chapter 210 of the Session Laws of 1937, Known as the Aid to the Blind Act, and Providing for Eligibility for Assistance to the Needy Blind, Declaring an Emergency.

Introduction, first reading and reference, 171. Reported back, 247. Second reading, 280. To House, 289. Returned to Senate, 664. Signed by President, 723. Sent to Governor, 893.

Senate Bill No. 100-(Committee on Public Welfare)

Referred to Committee on Public Health.

Re-referred to Committee on Public Welfare.

Senate Bill No. 100. A Bill for an Act Amending and Reenacting Sections 1 and 9 of Chapter 161 of the Session Laws of 1923, Being Sections 5099b1 and 5099b9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; and Declaring an Emergency.

Introduction, first reading and reference, 171. Reported back, 247. Other action or amendments, 227, 726. Second reading, 276. To House, 289. Returned to Senate, 664. Signed by President, 724. Sent to Governor, 893.

Senate Bill No. 101—(Committee on Public Welfare)

Referred to Committee on Public Welfare.

Senate Bill No. 101. A Bill for an Act Amending and Reenacting Sections 1, 6 and 16 of Chapter 209 of the Session Laws of 1937, Being Those Parts of the Aid to Dependent Children Act Defining a Dependent Child; Naming Relatives; Providing the Amount of Assistance; and Method of Disbursement of Aid to Dependent Children Fund; and Declaring an Emergency.

Introduction, first reading and reference, 171. Reported back, 248. Other action or amendments, 281, 726. Second reading, 281. To House, 290. Returned to Senate, 663. Signed by President, 724. Sent to Governor, 892.

Senate Bill No. 102—(Committee on Public Welfare)

Referred to Committee on Public Welfare.

Senate Bill No. 102. A Bill for an Act Granting Certain Powers and Imposing Certain Duties Heretofore Delegated to the Board of Administration, in Connection With Child Welfare Laws of This State, to the Public Welfare Board of North Dakota, Division of Child Welfare; Providing for Cooperation With the Federal Government in Carrying Out Child Welfare Services and Services to Crippled Children and to Receive and Disburse Federal Funds Granted for INDEX

Such Purposes; Repealing Chapter 150 of the Session Laws of 1923, Being Sections 283b6 and 283b7 of the 1925 Supplement to the 1913 Codes; and Declaring an Emergency.

Introduction, first reading and reference, 171.

Reported back, 247. Second reading, 278.

To House, 290.

Returned to Senate, 846.

Senate Bill No. 103-(Committee on Public Welfare)

Referred to Committee on Public Welfare.

Senate Bill No. 103. A Bill for an Act Amending and Reenacting Sections 2 and 11 of Chapter 211 of the Session Laws of 1937 and Validating Payments Heretofore Made to Certain Non-citizen Old Age Assistance Clients, Declaring an Emergency.

Introduction, first reading and reference, 171. Reported back, 247. Second reading, 279. To House, 289. Returned to Senate, 840. Signed by President, 889. Sent to Governor, 1004.

Senate Bill No. 104-(Magoffin)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 104. A Bill for an Act to Amend and Reenact Chapter 274 of the Session Laws of North Dakota for the Year 1935 as Amended by Chapter 243 of the Session Laws of North Dakota for 1937, 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, Extending the Application Thereof to Persons Receiving, Claiming or Demanding Money From Municipalities and Political Sub-divisions Within the State, and Providing That Entering Into of Installment Contracts for Payment of Personal Property Taxes Shall Not Relieve Anyone From the Operation of This Act, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 171. Reported back, 346. Other action or amendments, 857, 891. Second reading, 362, 857. To House, 378. Returned to Senate, 857. Signed by President, 888. Sent to Governor, 1004.

Senate Bill No. 105-(Morgan)

Referred to Committee on Insurance.

Senate Bill No. 105. A Bill for an Act Amending and Reenacting Section 5063 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 165 of the Session Laws of North Dakota for the Year 1931, Relating to the Regulation and Control of the Payment of Death Benefits by Fraternal Benefit Societies; Declaring an Emergency.

Introduction, first reading and reference, 172. Reported back, 278. Other action or amendments, 313. Second reading, 330. To House, 355. Returned to Senate, 845.

Senate Concurrent Resolution No. 106-(Holl)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 106. A Concurrent Resolution Urging Immediate Investigation by Congress of Manufacturers of Farm Implements to Determine Costs of Raw Materials, Manufacture, Distribution, Ultimate Costs to Farmer, Price Spread Between Farmer and Consumer of Farm Products, Determination of Farm Machinery Prohibitions, Prohibitions as to Flax Crops and Importation to Meet the Country's Need, and to Determine if a Trust Exists Exercising Unfair Practices to the Detriment of the Agricultural Commonwealth.

Introduction, first reading and reference, 172. Reported back, 204. Other action or amendments, 236. Adopted, 236. To House, 243. Returned to Senate, 326. Signed by President, 364. Sent to Secretary of State, 381.

Senate Bill No. 107-(Morgan)

Referred to Committee on Judiciary.

Senate Bill No. 107. A Bill for an Act Providing That Cream Buyers, Creameries, and All Persons and Corporations Engaging in the Business of Buying Farm Produce, Shall Keep Accurate Records; Providing for Furnishing of Such Information to, and for the Inspection of Such Records by County Welfare Boards or Their Employees, With the Written Consent of the Seller; Also Providing for the Furnishing of Information by Employers; and Persons, Banks, and Savings Banks; Accepting Money for Deposit; Providing for a Penalty; and Declaring an Emergency.

Introduction, first reading and reference, 172.

Reported back, 231.

Other action or amendments, 259.

Senate Bill No. 108-(Trout, by request)

Referred to Committee on State Affairs.

Senate Bill No. 108. A Bill for an Act to Amend and Reenact Section 1 of Chapter 169, Session Laws of North Dakota for the Year 1937, Relating to the Regulation of Used Motor Vehicle Dealers.

Introduction, first reading and reference, 172. Reported back, 416. Senate Bill No. 109-(Blaisdell and Young)

Referred to Committee on Banks and Banking.

Re-referred to Committee on Appropriations.

Re-referred to Committee on Banks and Banking.

Senate Bill No. 109. A Bill for an Act Providing for the Appointment of a Commission to Examine the Accounting Systems of State Departments and Institutions, and of Local Sub-divisions; Providing for the Establishment of Uniform Systems of Accounting, and Providing a Penalty for Violation; Providing for Biennial Examinations of the Affairs of State Departments and Institutions; Providing an Appropriation; and Repealing Sections 711, 712, 713, and 714 of the Compiled Laws of North Dakota for 1913.

Introduction, first reading and reference, 172. Reported back, 373, 499, Other action or amendments, 248, 400, 431. Second reading, 573. To House, 578. Returned to Senate, 842.

Senate Bill No. 110—(Bilden, Bridston and Nelson of Grand Forks)

Referred to Committee on State Affairs.

Re-referred to Committee on Appropriations.

Senate Bill No. 110. A Bill for an Act to Amend and Reenact Subsection (e) of Section 2 of Chapter 232 of the 1937 Session Laws Defining the Term "Employing Unit," and Amending and Re-enacting Paragraph (1) of Subsection (6) of Section 2 of Chapter 232 of the 1937 Session Laws, Providing for the Inclusion of the North Dakota Mill and Elevator Association as an Employing Unit Under North Dakota Unemployment Compensation Law: Emergency.

Introduction, first reading and reference, 173.

Reported back, 178, 507.

Other action or amendments, 200.

Senate Bill No. 111-(Morrison)

Senate Bill No. 111. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property, Providing for the Application of the Sales Tax Upon the Real Estate or Personal Property Taxes, at the Option of the Taxpayer; to Provide the Public Revenue to be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Withdrawn by Senator Morrison, 263.

Senate Bill No. 112-(Young and Flatt)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, Relating to Bounty for Tree Planting.

Introduction, first reading and reference, 173. Reported back, 244. Second reading, 275. To House, 290. Returned to Senate, 604. Signed by President, 625. Sent to Governor, 639.

Senate Bill No. 113—(Nelson of Grand Forks, and Guenther) Referred to Committee on State Affairs.

Senate Bill No. 113. A Bill for an Act to Amend and Reenact Section 9240 of the Supplement to the Laws of 1913.

Introduction, first reading and reference, 173.

Reported back, 348.

Other action or amendments, 363, 381.

Second reading, 363.

Senate Bill No. 114-(Blaisdell)

Referred to Committee on Judiciary.

Re-referred to Committee on Judiciary.

Senate Bill No. 114. A Bill for an Act Providing for the Issue of Stock Without Par Value With Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Introduction, first reading and reference, 173. Reported back, 231, 387.

Other action or amendments, 313.

Second reading, 423.

Senate Bill No. 115—(Committee on Taxes and Tax Laws) Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 115. A Bill for an Act to Amend and Reenact Chapter 242, Session Laws of 1937 Relating to the Levying of a Tax for the Purpose of Paying Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Introduction, first reading and reference, 180.

Reported back, 463.

Other action or amendments, 494.

Second reading, 495.

To House, 531.

Returned to Senate, 847.

Senate Concurrent Resolution No. 116-(Brant, Lian and Topp)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 116. A Concurrent Resolution Providing for the Amendment of Section 71 of Article 3 of the Constitution of North Dakota.

Introduction, first reading and reference, 180. Reported back, 233.

Senate Concurrent Resolution No. 117—(Guenther and Blaisdell)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 117. A Concurrent Resolution Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended by Article 48 of the Amendments Thereof.

Introduction, first reading and reference, 180. Reported back, 233.

Senate Concurrent Resolution No. 118-(Drew and Guthrie)

Referred to Committee on Elections.

Senate Concurrent Resolution No. 118. A Concurrent Resolution Providing for the Amendment of Section 82, of Article 3, of the Constitution of the State of North Dakota, as Amended by Article 43 of the Amendments Thereof, and as Amended by the Adoption of the Initiated Amendment at the Primary Election on June 28, 1938.

Introduction, first reading and reference, 180. Reported back, 270.

Senate Bill No. 119-(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Paragraph (c) of Section 7, Chapter 164, of the Session Laws of 1919, the Same Being Paragraph (c) of Section 4881a7 of 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to Mutual Insurance Companies.

Introduction, first reading and reference, 180.

Reported back, 278.

Second reading, 312.

To House, 319.

Returned to Senate, 845.

Senate Bill No. 120—(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Section 4907, Compiled Laws of the State of North Dakota for 1913, to Make More Certain the Requirement That All Foreign Insurance Companies Have a Capital of Two Hundred and Fifty Thousand Dollars (\$250,000.00) as a Condition to Writing Fidelity and Surety Risks in This State.

Introduction, first reading and reference, 180. Reported back, 277. Second reading, 310. To House, 319. Returned to Senate, 731. Signed by President, 879. Sent to Governor, 1004.

Senate Bill No. 121-(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Chapter 161, of the Session Laws of 1931, Relating to the Admission of Foreign Mutual Insurance Companies.

Introduction, first reading and reference, 180.

Reported back, 277. Second reading, 309. To House, 319. Returned to Senate, 731. Signed by President, 879. Sent to Governor, 1004.

Senate Bill No. 122-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Sections Six (6) and Seven (7), of Chapter 255, of the Session Laws of 1937, Relating to the State Water Conservation Commission.

Introduction, first reading and reference, 181. Reported back, 372. Second reading, 396. To House, 414. Returned to Senate, 845.

Senate Bill No. 123—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3, of Chapter 214, of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to Be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937, and for Necessary Costs of Administration.

Introduction, first reading and reference, 181. Reported back, 504. Other action or amendments, 1041, 1099, 1100. Second reading, 567, 1100. To House, 575. Returned to Senate, 1039. Signed by President, 1105. Sent to Governor, 1107.

Senate Bill No. 124—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 124. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman, John E. Crites.

Introduction, first reading and reference, 181. Reported back, 316. Second reading, 351. To House, 378. Returned to Senate, 840. Signed by President, 872. Sent to Governor, 1004.

Senate Bill No. 125—(Magoffin, Braun and Blank)

Referred to Committee on State Affairs.

Senate Bill No. 125. A Bill for an Act Defining and Prohibiting Unfair Sales, Providing Remedies for Violation Thereof, and Establishing Penalties Therefor, and Declaring an Emergency.

Introduction, first reading and reference, 181.

Reported back, 389.

Other action or amendments, 429.

Second reading, 429.

To House, 441.

Returned to Senate, 847.

Senate Bill No. 126-(Raschko, Leum and Aandahl)

Referred to Committee on Judiciary.

Senate Bill No. 126. 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 Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 181. Reported back, 231. Second reading, 259. To House, 265. Returned to Senate, 842.

Senate Bill No. 127-(Wog)

Referred to Committee on Elections.

Senate Bill No. 127. A Bill for an Act to Amend and Reenact Chapter 216, Session Laws 1923, Constituting Section 950a2 of the 1925 Supplement; and Providing for the Division and Consolidation of Voting Districts.

Introduction, first reading and reference, 181. Reported back, 270.

Second reading, 308.

To House, 319.

Returned to Senate, 843.

Senate Concurrent Resolution No. 128-(Aasen, Guthrie and Guenther)

Referred to Committee on Education.

Senate Concurrent Resolution No. 128. Providing for the Amendment of Section 150, of Article 8, of the Constitution of North Dakota.

Introduction, first reading and reference, 181. Reported back, 374.

Senate Concurrent Resolution No. 129-(Guthrie and Young) Referred to Committee on Taxes and Tax Laws.

Senate Concurrent Resolution No. 129. A Concurrent Resolution Memorializing Congress to Support the Proposed Legislation Prohibiting Retro-active Federal Taxation of State and Municipal Securities and Employes.

Introduction, first reading and reference, 196.

Reported back, 204.

Second reading, 238.

To House, 243.

Returned to Senate, 326.

Senate Bill No. 130-(Blank, Guthrie and Brant)

Referred to Committee on State Affairs.

Senate Bill No. 130. A Bill for an Act Providing for the Protection of Pre-historic Deposits, Relics, Indian Mounds, Graves, Village Sites and Other Archaeological Material; Providing for Licensing Persons Engaged in Exploring and Excavating for Ancient Ruins and Archaeological Materials, Restricting Such Exploration and Excavation on State-Owned Lands and Requiring That One-Half of Such Materials be Delivered to the State Historical Society and Providing a Penalty for Violation of This Act.

Introduction, first reading and reference, 197.

Reported back, 248.

Second reading, 285.

To House, 318.

Returned to Senate, 793.

Signed by President, 878.

Sent to Governor, 1004.

Senate Bill No. 131-(Guthrie)

Referred to Committee on Insurance.

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Chapter 151 of the Session Laws of North Dakota for 1935, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters.

Introduction, first reading and reference, 197. Reported back, 277. Other action or amendments, 309. Second reading, 309. To House, 319. Returned to Senate, 983. Signed by President, 1028. Sent to Governor, 1068.

Senate Bill No. 132-(Morrison, Guthrie and Aandahl)

Referred to Committee on Appropriations.

Senate Bill No. 132. A Bill for an Act to Make an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Introduction, first reading and reference, 197. Reported back, 373. Second reading, 398. To House, 414. Returned to Senate, 794. Signed by President, 877. Sent to Governor, 1004.

Senate Bill No. 133-(Committee on Education)

Referred to Committee on Corporations.

Senate Bill No. 133. A Bill for an Act Relating to the Duties of County Auditors and County Treasurers, With Relation to the Levy, Collection and Record of Municipal Bonds Sinking Funds.

Introduction, first reading and reference, 197.

Reported back, 269.

Second reading, 305.

To House, 319. Returned to Senate, 840. Signed by President, 872. Sent to Governor, 1004.

Senate Bill No. 134-(Flatt and Watt)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 134. A Bill for an Act Permitting the Killing of Dogs, Wolves and Coyotes Kept as Domestic Animals When Caught in the Act of Killing, Chasing, Worrying or Damaging Livestock or Poultry, Providing Owners of Livestock and Poultry Killing Such Animals Shall Not Be Held Civilly Liable, and Declaring an Emergency.

Introduction, first reading and reference, 197.

Reported back, 244. Second reading, 275. To House, 290. Returned to Senate, 663. Signed by President, 724. Sent to Governor, 893.

Senate Concurrent Resolution No. 135-(Wog, Guthrie and Fowler)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 135. A Concurrent Resolution Providing for the Amendment of Sections 167, 170, 172 and 173 and the Repeal of Section 171 of the Constitution of North Dakota.

Introduction, first reading and reference, 199. Reported back, 233. Other action or amendments, 637, 820. Second reading, 261. To House, 290, 820. Returned to Senate, 637. Signed by President, 874. Sent to Secretary of State, 1003.

Senate Bill No. 136—(Braun and Young)

Referred to Committee on Game and Fish.

Senate Bill No. 136. A Bill for an Act to Encourage and Permit the Propagation of Domestic Game Birds by Private Enterprise in the State of North Dakota; Declaring an Emergency.

Introduction, first reading and reference, 197.

Reported back, 476.

Other action or amendments, 558.

Second reading, 558.

To House, 586.

Returned to Senate, 845.

Senate Bill No. 137—(Streibel and Watt)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 137. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, and Other Public Places of Amusement; Declaring an Emergency.

Introduction, first reading and reference, 197. Reported back, 463.

Senate Bill No. 138-(Olson of Mountrail and Nelson of Mc-Kenzie)

Referred to Committee on Corporations.

Senate Bill No. 138. A Bill for an Act Requiring All Traveling Salesmen, Persons or Agents Soliciting the Sale of Insurance, the Sale of Bonds, or Other Securities, and Soliciting Orders to be Filled by Deliveries to be Made at a Later Time, Including Book Agents, and Excepting Newspaper Men, to First Obtain a License Therefor; Application for License and How License Is Used; Fee for License to be Paid to the Secretary of State Credited to the General Fund; the Secretary of State to Keep All Applications on File and to Grant Licenses Thereon; Distribution of Revenue and Penalty for Violation of Provisions, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading and reference, 198. Reported back, 298.

Senate Bill No. 139-(Fredrickson)

Referred to Committee on Judiciary.

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 7426 of the Compiled Laws of North Dakota for 1913, Relating to Service of Summons on a Domestic Corporation, and Providing for Service by Publication on Any Domestic Corporation, the Charter of Which Has Been Forfeited.

Introduction, first reading and reference, 198. Reported back, 267. Second reading, 301. To House, 318. Returned to Senate, 794. Signed by President, 877. Sent to Governor, 1004.

Senate Bill No. 140-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 140. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, to the Public Welfare Fund. Created and Established by Section 3 of Chapter 214 of the Session Laws of 1937, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, as Provided by Chapters 209 and 210 of the Session Laws of 1937, and in Providing Child Welfare Services and Services to Crippled Children in Co-ordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government, as Provided by Chapter 221 of the Session Laws of 1935.

Introduction, first reading and reference, 198. Reported back, 504. Other action or amendments, 869, 892, 905, 976, 980, 995. Second reading, 568, 1001. To House, 575. Returned to Senate, 842. Signed by President, 1050. Sent to Governor, 1067. Senate Bill No. 141-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Introduction, first reading and reference, 198. Reported back, 505. Other action or amendments, 1046, 1101, 1103. Second reading, 568, 1102. To House, 575. Returned to Senate, 1046. Signed by President, 1106. Sent to Governor, 1107.

Senate Bill No. 142—(Trout, Lian and Blaisdell)

Referred to Committee on Elections.

Senate Bill No. 142. A Bill for an Act Amending and Reenacting Section 909a1 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to No-Party Elections, Providing for the Election of Members of the Legislative Assembly on the No-Party Ticket, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 198. Reported back, 296.

Senate Bill No. 143-(Blaisdell)

Referred to Committee on Judiciary.

Senate Bill No. 143. A Bill for an Act to Provide That Judgments or Liens Not Renewed Within Ten Years From Date of Docketing, Shall Be Discharged and Satisfied of Record.

Introduction, first reading and reference, 199.

Reported back, 267.

Other action or amendments, 303.

Second reading, 303.

To House, 319.

Returned to Senate, 844.

Senate Bill No. 144-(Young and Guthrie)

Referred to Committee on State Affairs.

Senate Bill No. 144. A Bill for an Act Requiring State Officers, Boards, Bureaus, Commissions, Departments, Institutions, Industries and Businesses to Prepare and File Reports, and Providing a Penalty for Failure to Comply With This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 199. Reported back, 479. Other action or amendments, 480, 498. Second reading, 560. To House, 565. Returned to Senate, 847.

Senate Bill No. 145-(Blaisdell)

Referred to Committee on Judiciary.

Senate Bill No. 145. A Bill for an Act Providing for the Renewal of Mechanic's Liens and for the Cancellation and Discharge Thereof Unless Renewed Within Six Years From the Date of Filing.

Introduction, first reading and reference, 199.

Reported back, 267.

Other action or amendments, 303.

Second reading, 303.

To House, 319.

Returned to Senate, 844.

Senate Bill No. 146-(Blaisdell)

Referred to Committee on Appropriations.

Senate Bill No. 146. A Bill for an Act Empowering the Governing Board of Cities and Villages to Provide for the Lighting of All Streets, Avenues, Alleys, Sidewalks, Wharves, Parks and Public Grounds, and for the Furnishing and Supplying of Electric Energy or Gas to the City or Village for Lighting, Power, and Other Municipal Purposes, and to the Inhabitants Thereof, and to Enter Into Contracts for Electric Energy or Gas for Municipal and Private Purposes, and Specifying the Manner of Execution of Such Contracts, and Repealing Chapter 173, of the Session Laws of North Dakota for 1929.

Introduction, first reading and reference, 199. Reported back, 298. Second reading, 334. To House, 355. Returned to Senate, 843.

Senate Bill No. 147-(Blaisdell)

Referred to Committee on Appropriations.

Senate Bill No. 147. A Bill for an Act to Amend and Reenact Section 3725 of the 1913 Compiled Laws of the State of North Dakota, Relating to Special Assessments.

Introduction, first reading and reference, 199.

Reported back, 269.

Second reading, 306.

To House, 319.

Returned to Senate, 735.

Signed by President, 879.

Sent to Governor, 1004.

Senate Concurrent Resolution No. 148—(Stucke, Holl and Morrison)

Referred to Committee on Elections.

Senate Concurrent Resolution No. 148. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Introduction, first reading and reference, 200.

Reported back, 270.

Second reading, 307.

To House, see Errata Sheet.

Returned to Senate, 663. Signed by President, 724. Sent to Governor, 932.

Senate Bill No. 149-(Morgan)

Referred to Committee on Banks and Banking.

Senate Bill No. 149. A Bill for an Act to Amend and Reenact Section 714a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to Securities for Public Deposits.

Introduction, first reading and reference, 199. Reported back, 466. Second reading, 526. To House, 549. Returned to Senate, 794. Signed by President, 877. Sent to Governor, 1004.

Senate Bill No. 150-(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 150. A Bill for an Act Amending and Reenacting the Workmen's Compensation Act by Amending and Re-enacting Sub-sections A and C 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; Paragraph I of Section 4 of Chapter 162, Session Laws of 1935; the First Paragraph of Section 5 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931 and Chapter 286, Session Laws of 1935; 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 1931; the Fourth and Fifth Paragraphs of Section 8, Chapter 162, Session Laws of 1931; and 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 1931; and Section 23 of Chapter 162, Session Laws of 1919 Which Also Appears as Section 396a23 of the 1925 Supplement.

Introduction, first reading and reference, 205. Reported back, 424. Other action or amendments, 278, 449. Second reading, 449. To House, 459. Returned to Senate, 735. Signed by President, 880. Sent to Governor, 1004.

Senate Bill No. 151-(Committee on State Affairs)

Referred to Committee on Judiciary.

Senate Bill No. 151. A Bill for an Act to Amend and Reenact Section 189b7 of the 1925 Supplement to the Compiled Laws of 1913, as Last Amended by Section 3 of Chapter 137 of the Session Laws of the State of North Dakota for the Year 1933, Relating to State Hail Insurance, Providing for the Levy of a Hail Indemnity Tax, Fixing the Priority of the Lien Therefor; Declaring That Any and All Existing Hail Indemnity Taxes, Which Have Not Heretofore Been Sold to Private Parties, Shall be Liens Subsequent and Inferior to Mortgages, Liens and Judgments Executed Prior to the Levy of Such Hail Indemnity Taxes; and Declaring an Emergency.

Introduction, first reading and reference, 206. Reported back, 267. Second reading, 304. To House, 318. Returned to Senate, 694.

Senate Bill No. 152—(Committee on State Affairs)

Referred to Committee on Judiciary.

Senate Bill No. 152. A Bill for an Act to Amend and Reenact Section 8100 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 155 of the Session Laws of North Dakota for 1933, Relating to the Foreclosure of Real Estate Mortgages; What the Judgment and Decree of Foreclosure Shall Contain; Providing for the Issuance of Execution on Certain Deficiency Judgments; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 206. Reported back, 268. Other action or amendments, 380. Second reading, 422.

Senate Bill No. 153-(Blaisdell)

Referred to Committee on Corporations.

Senate Bill No. 153. A Bill for an Act to Amend and Reenact Section 1 of Chapter 92 of the Session Laws of North Dakota for the Year 1931, Relating to Public Airports and Landing Fields and Declaring an Emergency.

Introduction, first reading and reference, 206.

Reported back, 295.

Second reading, 335.

To House, 355.

Returned to Senate, 663.

Signed by President, 725.

Sent to Governor, 893.

Senate Bill No. 154-(Fredrickson)

Referred to Committee on Corporations.

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal, and Providing Penalty.

Introduction, first reading and reference, 207.

Reported back, 299.

Second reading, 335. To House, 355.

Returned to Senate, 843.

Returned to Senate, 845.

Senate Bill No. 155-(Blaisdell, Guthrie, Stucke, Drew and Morgan)

Referred to Committee on Public Health.

Senate Bill No. 155. A Bill for an Act Defining and Re-

lating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe and Possess Such Drugs; Establishing Regulations for Manufacture, Sale and Prescription Thereof; Providing for License by State Health Officer; Fixing Penalty for Violation of This Act; Repealing Laws Inconsistent Therewith.

Withdrawn by Senator Guthrie, 528.

Senate Bill No. 156-(Blaisdell)

Referred to Committee on Public Welfare.

Senate Bill No. 156. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 221 of the Session Laws of North Dakota for the Year 1935 Relating to the State Board of Public Welfare, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 207. Reported back, 466. Other action or amendments, 525.

Second reading, 525.

Senate Bill No. 157—(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 157. A Bill for an Act Relating to Civil Liability of Owners and Operators of Motor Vehicles, Service of Civil Process on Non-residents and Requirement That Owners of For-rent Vehicles Give Proof of Financial Responsibility and to Make Uniform the Law With Reference Thereto.

Introduction, first reading and reference, 207. Reported back, 469.

Other action or amendments, 333, 538.

Second reading, 538.

To House, 565.

Returned to Senate, 1041.

Senate Bill No. 158-(Fredrickson)

Referred to Committee on Public Safety.

Senate Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 163 of the Session Laws of the State of North Dakota for the Year 1929, Being an Act to Require Persons Convicted of Reckless Driving, or of Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs, or of Failure to Stop in Event of an Accident Involving Injury or Death to a Person, to Furnish a Bond or Insurance Policy; Providing for the Enforcement of Such Act; and Providing a Penalty for the Violation Thereof.

Introduction, first reading and reference, 207. Reported back, 469. Other action or amendments, 541. Second reading, 541. To House, 566. Returned to Senate, 940.

Senate Bill No. 159—(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 159. A Bill for an Act to Amend and Re-

enact Sections 2, 5 and 6, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, Transition Provisions for Simplification, Relating to Base Period and Benefit Year, and Also to Amend and Re-enact Sections 3, 5, 12, 13 and 14, of Chapter 232, of the Session Laws of North Dakota for the Year 1937, to Comply With That Act of Congress Known as the Railroad Unemployment Insurance Act, and Amending and Re-enacting Section 10, of Chapter 232 of the Session Laws of 1937, Authorizing the United States Government or Social Security Board to Allow the Commissioners of the North Dakota Workmen's Compensation Bureau Compensation for Services as Administrative Heads of Unemployment Compensation Division and State Employment Service, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 207.

Reported back, 343.

Other action or amendments, 361, 381, 391, 951, 955, 1025, 1026.

Second reading, 391, 1026.

To House, 414.

Returned to Senate, 948.

Signed by President, 1061.

Sent to Governor, 1074.

Senate Bill No. 160-(Lian, Trout and Isaak)

Referred to Committee on State Affairs.

Senate Bill No. 160. A Bill for an Act Licensing the Operation of Slot Machines and Other Machines or Mechanical Devices of All Descriptions Operated or Played by Inserting a Coin, Slug, or Other Object; Prohibiting the Operation of Any Such Machine Not Duly Licensed; Providing for Certain License Fees and for the Disposition of Moneys Obtained Thereunder; Licensing Distributors; Providing for Certain Exemptions to the Provisions of This Act; Providing for the Enforcement Hereof; Providing Penalties for the Violation of Provisions of This Act; Providing for a Saving Clause; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 208. Reported back, 416.

Senate Bill No. 161-(Flatt)

Referred to Committee on Temperance.

Senate Bill No. 161. A Bill for an Act to Prohibit Public Officials, Both Elective and Appointive, From Engaging in the Wholesaling or Retailing of Intoxicating Liquor, and Providing Penalty for the Violation Thereof.

Introduction, first reading and reference, 208.

Other action or amendments, 456.

Senate Bill No. 162—(Blaisdell, Bridston, Guthrie, Gilbertson and Fredrickson)

Referred to Committee on Federal Relations.

Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 10, of Chapter 102, of the Session Laws of the State of North Dakota for the Year 1937, Relating to Rentals and the Selection of Tenants in Housing Projects of Housing Authorities, and Declaring an Emergency.

Introduction, first reading and reference, 208.

Reported back, 315.

Second reading, 340.

To House, 354.

Returned to Senate, 1047.

Senate Bill No. 163-(Blaisdell and Fredrickson)

Referred to Committee on Corporations.

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 6, of Chapter 104, of the Session Laws of North Dakota for the Year 1937, Relating to Revenue Bonds of Municipalities, and Declaring an Emergency.

Introduction, first reading and reference, 208.

Reported back, 298.

Other action or amendments, 690, 691.

Second reading, 336.

To House, 355.

Returned to Senate, 663, 1041.

Signed by President, 921.

Senate Bill No. 164-(Fredrickson and Guthrie)

Referred to Committee on Corporations.

Senate Bill No. 164. A Bill for an Act Relating to the Enactment of Ordinances in Cities Having the Commission Form of Government and Validating Ordinances Heretofore Enacted in Such Cities.

Introduction, first reading and reference, 209. Reported back, 298. Other action or amendments, 336. Second reading, 336. To House, 355. Returned to Senate, 693.

Senate Bill No. 165-(Young and Guthrie)

Referred to Committee on Public Safety.

Senate Bill No. 165. A Bill for an Act Organizing the Department of Fire Marshal and Hotel Inspector; Transferring the Duties and Powers of the Present Fire Marshal and the Duties and Powers of the Present Hotel Inspector as Now Defined by Law to the Department of Fire Marshal and Hotel Inspector; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading and reference, 209.

Reported back, 466.

Senate Bill No. 166-(Drew and Morgan)

Referred to Committee on State Affairs.

Re-referred to Committee on Insurance.

Senate Bill No. 166. A Bill for an Act to Amend and Reenact Section 2 of Chapter 232 of the Session Laws of 1937, Relating to the North Dakota Compensation Law.

Introduction, first reading and reference, 209.

Other action or amendments, 294, 340.

Senate Bill No. 167-(Morrison, by request)

Referred to Committee on Elections.

Senate Bill No. 167. A Bill for an Act to Amend and Reenact Section 677 and Section 678 of the Compiled Laws of North Dakota for 1913, Relating to the Time of the Beginning of County, Township and Precinct Offices; Making Special Provisions for the Beginning of Terms of Office of County Auditor, County Treasurer and County Superintendent of Schools; and Fixing the Time for Qualifying for Office; Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 209. Reported back, 270.

Other action or amendments, 376.

Senate Bill No. 168-(Guthrie and Bridston)

Referred to Committee on Banks and Banking.

Senate Bill No. 168. A Bill for an Act Relating to the Furnishing of Certified Checks or Bidder's Bonds by Contractors Submitting Proposals for the Construction of Public Improvements; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 209.

Reported back, 466.

Other action or amendments, 538.

Second reading, 539.

To House, 566.

Returned to Senate, 845.

Senate Bill No. 169-(Bridston)

Referred to Committee on Judiciary.

Senate Bill No. 169. A Bill for an Act Fixing Responsibility for Damages by Motor Vehicle Drivers; Defining a Final Judgment; Providing a Penalty for Operation During Suspension and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 209. Reported back, 436.

Senate Bill No. 170-(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 170. A Bill for an Act to Amend Section 4073a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; and Declaring an Emergency.

Introduction, first reading and reference, 209.

Reported back, 375.

Other action or amendments, 391.

Second reading, 410.

To House, 440.

Returned to Senate, 998.

Signed by President, 1050.

Sent to Governor, 1067.

Senate Bill No. 171-(Skarvold and Braun)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 171. A Bill for an Act Authorizing and Directing the North Dakota Agricultural College to Enter

Into A Co-operative and License Agreement With the United States of America for Agricultural Investigational Work on Land Located in the Sheyenne River Project in Richland and Ransom Counties, State of North Dakota.

Introduction, first reading and reference, 210. Reported back, 393. Second reading, 433. To House, 458. Returned to Senate, 732. Signed by President, 880. Sent to Governor, 1004.

Senate Bill No. 172-(Owings, Skarvold and Streibel)

Referred to Committee on Education.

Senate Bill No. 172. A Bill for an Act to Repeal Chapter 255 of the Session Laws of the State of North Dakota for 1931.

Introduction, first reading and reference, 210. Reported back, 373. Second reading, 401. To House, 414. Returned to Senate, 734. Signed by President, 880. Sent to Governor, 1004.

Senate Bill No. 173—(Morrison, by request)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 173. A Bill for an Act to Amend and Reenact Chapter 256 of the 1933 Session Laws, Relating to the Exemption From Taxation of Personal Property.

Introduction, first reading and reference, 210.

Reported back, 395.

Senate Bill No. 174-(Morrison, Bilden and Young)

Referred to Committee on State Affairs.

Senate Bill No. 174. A Bill for an Act to Amend and Reenact Sub-divisions 1 and 3, of Section 2346a43, of the 1925 Supplement of the Compiled Laws of North Dakota for 1913, Relating to the Secrecy Required of Officials, in Filing and Keeping Income Tax Reports, and Statistics Relating Thereto; Providing for the Right of Assessors to Inspect the Inventories of Merchandise, Incorporated, in Returns Between April 1, and April 30, of Each Year, and Permitting the Furnishing of Such Information to Assessors for Assessing Purposes; Providing a Penalty; and Repealing All Acts or Parts of Acts, and Declaring an Emergency.

Introduction, first reading and reference, 210. Reported back, 416.

Senate Bill No. 175—(Blank, Thatcher, Morrison and Brant) Referred to Committee on State Affairs.

Senate Bill No. 175. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Introduction, first reading and reference, 210. Reported back, 295. Second reading, 337. To House, 355. Returned to Senate, 694. Signed by President, 723. Sent to Governor, 893.

Senate Bill No. 176-(Morrison)

Referred to Committee on Education.

Senate Bill No. 176. A Bill for an Act Amending and Reenacting Section 1178 of the Compiled Laws of North Dakota for 1913, Relating to Salaries of Teachers.

Introduction, first reading and reference, 210. Reported back, 327.

Senate Bill No. 177-(Magoffin)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 177. A Bill for an Act to Repeal That Certain Initiated Law Entitled "An Act Prohibiting Corporation Farming and Relating to Corporations Acquiring and Holding Real Estate Not Necessary in the Operation of Their Business." Approved and Adopted by the Electors at the June 29, 1932 Primary Election, as Amended by Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, and as Further Amended by Chapter 111 of the Session Laws of North Dakota for the Year 1935.

Introduction, first reading and reference, 210. Reported back, 393. Second reading, 441. To House, 458. Returned to Senate, 847.

Senate Bill No. 178—(Nelson of Grand Forks, Whelan, Blank, Wog, Guthrie, Braun and Fowler)

Referred to Committee on State Affairs.

Senate Bill No. 178. A Bill for an Act Providing That the State Board of Finance and Administration Created and Established by Senate Bill Number 37 Now Pending Before This Legislative Assembly Shall be the Successor of The Board of Administration and Vesting in and Imposing Upon Said State Board of Finance and Administration All the Rights, Powers, Duties, Obligations and Prerogatives of Said Board of Administration, and Declaring an Emergency.

Introduction, first reading and reference, 211. Reported back, 434. Second reading, 450. To House, 457. Returned to Senate, 847.

Senate Bill No. 179-(Trout, Lian and Isaak)

Referred to Committee on State Affairs.

Senate Bill No. 179. A Bill for an Act Licensing the Sale and Use of Punch Boards, Tip Books, Tip Jars, Pull Boards and Push Boards; Providing for Certain License Fees and for Certain Taxes Thereon; for the Disposition of Monies Obtained Thereunder; Prohibiting the Sale and Use of Punch Boards, Tip Boards, Tip Jars, Pull Boards and Push

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Boards Not Duly Stamped; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; Providing for a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading and reference, 211.

Reported back, 425.

Other action or amendments, 450, 536.

Second reading, 536.

To House, 566.

Returned to Senate, 842.

Senate Bill No. 180-(Committee on Taxes and Tax Laws)

Referred to Committee on Education.

Senate Bill No. 180. A Bill for an Act to Repeal Sections 1326a1, 1326a2, 1326a3, 1326a4 and 1326a5 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to a Petition by Electors to Increase Debt Limit of School Districts.

Introduction, first reading and reference, 211. Reported back, 374. Other action or amendments, 404. Second reading, 411. To House, 440.

Returned to Senate, 693.

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Senate Bill No. 181-(Trout)

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Section 15, Chapter 309, Laws of North Dakota, 1931, Providing for Commitment of Veterans, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading and reference, 211.

Reported back, 269.

Other action or amendments, 376, 411.

Second reading, 411.

To House, 441.

Returned to Senate, 732.

Signed by President, 880.

Sent to Governor, 1004.

Senate Bill No. 182—(Bridston and Nelson of Grand Forks) Referred to Committee on Corporations.

Senate Bill No. 182. A Bill for an Act Relating to the Status of Municipal Civil Service in Municipalities Which Change Their Form of Government and Amending Chapter 173 of the Session Laws of the State of North Dakota for the Year 1937.

Introduction, first reading and reference, 211. Reported back, 298. Other action or amendments, 742. Second reading, 337, 742. To House, 355. Returned to Senate, 742. Signed by President, see page 2, Errata Sheet. Sent to Governor, 1004. Senate Bill No. 183—(Bridston and Nelson of Grand Forks) Referred to Committee on Education.

Senate Bill No. 183. 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 Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 211.

Reported back, 375.

Other action or amendments, 408.

Second reading, 408.

To House, 441.

Returned to Senate, 694.

Senate Bill No. 184-(Blaisdell)

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 184. A Bill for an Act Authorizing the Adjutant General to Expend the Sum of \$8,000.00 From the Balance Remaining in the "Returned Soldiers Fund" for the Purpose of Registering and Compiling Records of the Graves of Deceased Soldiers, Sailors, or Marines Buried in This State and for Caring for and Preserving of Soldier Records, and Declaring an Emergency.

Introduction, first reading and reference, 212. Reported back, 269. Other action or amendments, 376, 745. Second reading, 419, 745. To House, 440. Returned to Senate, 744. Signed by President, 880. Sent to Governor, 1004.

Senate Concurrent Resolution No. 185-(Blank, Thatcher, Fowler and Braun)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 185. A Concurrent Resolution Memorializing Congress to Increase the Minimum Number of Employees Required in Agricultural States Under the Unemployment Compensation Act.

Introduction, first reading and reference, 220.

Reported back, 294.

Second reading, 338.

To House, 355.

Returned to Senate, 735.

Signed by President, 881.

Sent to Secretary of State, 1003.

Senate Bill No. 186—(Blaisdell, Guthrie, Fowler and Thorson) Referred to Committee on State Affairs.

Senate Bill No. 186. A Bill for an Act Providing the Maximum Salary or Compensation Which May Be Paid to or Received by Any Member, Appointee or Employee of Any Board, Bureau, Commission or Department of the State of North Dakota and Providing Penalties for Violation of This Act.

Introduction, first reading and reference, 220. Reported back, 315.

Second reading, 350. To House, 378. Returned to Senate, 845.

Senate Bill No. 187-(Committee on Education)

Referred to the Committee on Education.

Senate Bill No. 187. A Bill for an Act to Permit School Districts, Discontinuing High Schools, to Furnish for High School Students, Transportation to Other School Districts Having High School Facilities.

Introduction, first reading and reference, 220. Reported back, 375. Other action or amendments, 391. Second reading, 410. To House, 440. Returned to Senate, 1030. Signed by President, 1052. Sent to Governor, 1068.

Senate Bill No. 188—(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 188. A Bill for an Act to Amend and Reenact Sections 1504 and 1518 of the 1925 Supplement to the Compiled Laws of 1913 With Reference to the Amount and Period of Assessments for and the Amount and Qualifications for Benefits From the Teachers' Insurance and Retirement Fund.

Introduction, first reading and reference, 221. Reported back, 327.

Senate Bill No. 189—(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 189. A Bill for an Act to Amend and Reenact Section 1190 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 243 of the Session Laws of North Dakota for 1927, and as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1937, Relating to Consolidation of Schools and Transportation of Pupils; and Repealing All Laws or Parts of Laws in Conflict Therewith.

Introduction, first reading and reference, 221. Reported back, 327. Other action or amendments, 356, 866, 891. Second reading, 356, 866. To House, 378. Returned to Senate, 865. Signed by President, 922. Sent to Governor, 1004.

Senate Bill No. 190—(Committee on Education)

Referred to Committee on Education.

Re-referred to Committee on Appropriations.

Senate Bill No. 190. A Bill for an Act Authorizing the Board of Trustees of the Teachers' Insurance and Retirement Fund to Employ an Actuary and Clerical Assistance and Making an Appropriation Therefor. Introduction, first reading and reference, 221. Reported back, 327, 372. Other action or amendments, 359. Second reading, 359, 397. To House, 414. Returned to Senate, 840. Signed by President, 872. Sent to Governor, 1004.

Senate Bill No. 191-(Committee on Education)

Referred to Committee on Education.

Re-referred to Committee on Education.

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 1506 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1506 of the 1925 Supplement to the Compiled Laws of 1913, and to Amend and Re-enact Section 1517 of the Compiled Laws of 1913, as Amended and Re-enacted by Section 1517 of the 1925 Supplement to the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

Introduction, first reading and reference, 221. Reported back, 328, 375. Other action or amendments, 359, 404. Second reading, 359. To House, 414. Returned to Senate, 1041.

Senate Bill No. 192-(Committee on Education)

Referred to Committee on Education.

Re-referred to Committee on Education.

Senate Bill No. 192. A Bill for an Act to Amend and Reenact Section 1519 of the Compiled Laws of 1913, Pertaining to the Teachers' Insurance and Retirement Fund.

Introduction, first reading and reference, 221. Reported back, 328, 375. Other action or amendments, 359.

Second reading, 359, 408.

Senate Bill No. 193-(Olson of Mountrail)

Referred to Committee on Judiciary.

Senate Bill No. 193. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Introduction, first reading and reference, 221. Reported back, 376. Second reading, 420. To House, 440. Returned to Senate, 734. Signed by President, 881. Sent to Governor, 1004.

Senate Bill No. 194—(Guenther and Young) Referred to Committee on Judiciary.

Senate Bill No. 194. A Bill for an Act to Amend and Reenact Section 7971 of the Compiled Laws of the State of

North Dakota for 1913, Relating to Actions Against Usurping Officers and Persons.

Introduction, first reading and reference, 222.

Reported back, 484.

Second reading, 557.

To House, 577.

Returned to Senate, 940.

Senate Bill No. 195-(Morgan)

Referred to Committee on Appropriations.

Senate Bill No. 195. A Bill for an Act Clarifying, Confirming and Validating Chapter 86 of the Session Laws of 1937, which is an Act Making an Appropriation to be expended in Providing Public Assistance to the Needy Aged, the Needy Blind, and to Dependent Children, and for Providing Child Welfare Services and Services to Crippled Children in Coordination With and Supplementary to Funds Made Available for Like Purposes in North Dakota by the Federal Government; and Declaring an Emergency.

Introduction, first reading and reference, 222. Reported back, 503. Second reading, 550. To House, 577. Returned to Senate, 840. Signed by President, 872. Sent to Governor, 1004.

Senate Bill No. 196-(Guthrie and Lian)

Referred to Committee on Corporations.

Senate Bill No. 196. A Bill for an Act to Amend and Reenact Section 6 of Chapter 198 of the Session Laws of 1937, 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.

Introduction, first reading and reference, 222.

Reported back, 295.

Second reading, 338.

To House, 354.

Returned to Senate, 732.

Signed by President, 881.

Sent to Governor, 1004.

Senate Bill No. 197-(Guenther and Young)

Referred to Committee on Public Health.

Re-referred to Committee on Judiciary.

Senate Bill No. 197. A Bill for an Act to Amend and Reenact 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 and reference, 222.

Reported back, 340, 484.

Second reading, 551.

To House, 577.

Returned to Senate, 940.

Senate Bill No. 198-(Wog and Brant)

Referred to Committee on Education.

Re-referred to Committee on Education.

Senate Bill No. 198. A Bill for an Act to Amend and Reenact Section 1218 of the Supplement to the Compiled Laws for 1913, of the State of North Dakota, and Relating to the Report of the Treasurer in Common School Districts; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading and reference, 222.

Reported back, 374, 478.

Other action or amendments, 401, 478, 498.

Second reading, 563.

To House, 576.

Returned to Senate, 996.

Signed by President, 1050.

Sent to Governor, 1068.

Senate Bill No. 199-(Guthrie)

Referred to Committee on State Affairs.

Senate Bill No. 199. A Bill for an Act Providing for a State Resources Committee, Defining the Powers and Making an Appropriation Therefor.

Introduction, first reading and reference, 222. Reported back, 417.

Senate Bill No. 200-(Thatcher and Blank, by request)

Referred to Committee on Public Health.

Senate Bill No. 200. A Bill for an Act to Amend and Reenact Section 2588, of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended, Relating to the Payment of Treatment of Patients at the North Dakota Tuberculosis Sanitarium.

Withdrawn by Senator Thatcher, 235.

Senate Concurrent Resolution No. 201 — (Thatcher and Stucke)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 201. An Act to Amend Section 186 of the Constitution of the State of North Dakota as Amended by Initiative Measure Submitted to the People of the State of North Dakota at the Primary Election Held on June 28, 1938, Providing for the Payment of Public Monies Into the State Treasury.

Introduction, first reading and reference, 220. Reported back, 294.

Senate Bill No. 202—(Committee on Agriculture and Livestock)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 202. A Bill for an Act to Amend and Reenact Chapter 193, Session Laws of 1933, Relating to the North Dakota Mill and Elevator Association, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 223.

Reported back, 392.

Other action or amendments, 424.

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Senate Bill No. 203-(Thorson)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the President of the North Dakota Agricultural College to Enter Into a Leasing Agreement in Behalf of the North Dakota Agricultural College, with Hettinger Special School District No. 13, Leasing the Hettinger Experimental Substation Property Located Adjacent to the Village of Hettinger in the County of Adams, State of North Dakota; and Repealing Chapter 185, of the Session Laws of North Dakota for the Year 1937.

Introduction, first reading and reference, 223. Reported back, 393. Other action or amendments, 741. Second reading, 432, 741. To House, 458. Returned to Senate, 740. Signed by President, 881. Sent to Governor, 1004.

Senate Bill No. 204-(Whelan and Lian)

Referred to Committee on Counties.

Senate Bill No. 204. A Bill for an Act Permitting County Commissioners to Publish Delinquent Real Estate Tax Sale Notices in the Legal Newspapers of the County, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 223. Reported back, 499. Second reading, 563. To House, 576. Returned to Senate, 1041.

Senate Bill No. 205-(Whelan and Lian)

Referred to Committee on Public Welfare.

Senate Bill No. 205. A Bill for an Act Requiring the Publication of the Proceedings of Meetings of County Welfare Boards, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 223. Reported back, 466. Second reading, 524. To House, 549. Returned to Senate, 840. Signed by President, 872. Sent to Governor, 1004.

Senate Bill No. 206—(Morrison, Thorson, Wog and Nelson of Grand Forks)

Referred to Committee on Appropriations.

Senate Bill No. 206. A Bill for an Act Making an Appropriation for the Organization and Development by the State Industrial Commission of Co-operative Trucking Districts.

Introduction, first reading and reference, 223.

Reported back, 507.

Other action or amendments, 570.

Senate Bill No. 207—(Morrison, Blank, Thatcher and Nelson of Grand Forks)

Referred to Committee on State Affairs.

Senate Bill No. 207. A Bill for an Act to Amend and Reenact Section 2, of Chapter 193, of the Laws of 1933, to Enlarge the Scope of Business Which May Be Transacted by the North Dakota Mill and Elevator Association.

Introduction, first reading and reference, 223. Reported back, 467.

Senate Bill No. 208—(Morrison, Streibel, Young and Magoffin)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 208. A Bill for an Act to Encourage the Investment of Monies in the State of North Dakota, and to Encourage the Development of Industries and Resources in the State of North Dakota, Providing for Exempting, for a Period of Five Years, All of the Property of New Business Places, Hereafter Entered Into in the State of North Dakota, Whether the Same Be by Corporations, Firms, or Individuals, Providing That the Same Shall Only Apply Where Twentyfive Thousand Dollars or More of Capital Is Invested in Such Industry or Business Place, Within the State of North Dakota; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading and reference, 223. Reported back, 395.

Other action or amendments, 442.

Second reading, 442.

To House, 458.

Returned to Senate, 694.

Senate Concurrent Resolution No. 209-(Brant)

Referred to Committee on Taxes and Tax Laws.

Senate Concurrent Resolution No. 209. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota, Relating to Taxation.

Introduction, first reading and reference, 220. Reported back, 456.

Other action or amendments, 488, 498.

Second reading, 533.

Senate Bill No. 210—(Troxel)

Referred to Committee on Public Lands.

Senate Bill No. 210. A Bill for an Act to Provide for the Manner of Sale and of Leasing Lands Owned by the State and Acquired Through Foreclosure of Mortgages Given the Bank of North Dakota or by Deed Given in Lieu of Foreclosure, Making the Boards of Township Supervisors of the Various Townships the Agents of the State for Such Purpose, Fixing the Fees and Expenses of the Township Supervisors for Such Services; Repealing All Acts and Parts of Acts Inconsistent Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 224.

Reported back, 471.

Other action or amendments, 224, 471.

Second reading, 542.

Senate Bill No. 211-(Thatcher)

Referred to Committee on Appropriations.

Senate Bill No. 211. A Bill for an Act Appropriating Money for the Use of the Board of Railroad Commissioners for the Purpose of the Valuation and Revaluation of Public Utilities by the Board of Railroad Commissioners, as Provided by Chapter 253, Session Laws of 1935.

Introduction, first reading and reference, 224.

Reported back, 438.

Second reading, 451.

To House, 457.

Returned to Senate, 794.

Signed by President, 877.

Sent to Governor, 1004.

Senate Bill No. 212-(Morrison, Owings and Dahl)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 212. A Bill For an Act Amending and Reenacting Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing That as to General Merchandise, or Any Inventory of Goods and Wares, the Average Value of the Same for the Year Preceding the Time of the Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading and reference, 224. Reported back, 394, 485. Other action or amendments, 442, 557. Second reading, 557. To House, 585. Returned to Senate, 630. Signed by President, 687.

Sent to Governor, 731.

Senate Bill No. 213-(Guthrie)

Referred to Committee on State Affairs.

Senate Bill No. 213. A Bill for an Act to Amend and Reenact Sections 3, 4, 12, 15, 26 and 27, of Chapter 157, of the Laws of 1927, and Section 1, of Chapter 137, of the Laws of 1937, Relating to the Occupation of Hairdressers and Cosmetologists, the Conduct of Schools for Hairdressing and Cosmetology, the Qualification of Applicants for Examinations, Certificates, and Making Provisions for the Payment of Fees in Connection Therewith.

Introduction, first reading and reference, 224.

Reported back, 389.

Other action or amendments, 997.

Second reading, 419.

To House, 440.

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Returned to Senate, 940, 1014.

Signed by President, 1050.

Sent to Governor, 1068.

Senate Bill No. 214-(Brant)

Referred to Committee on Taxes and Tax Laws. Senate Bill No. 214. A Bill for an Act to Amend and Re-

enact Section 2186 of the Compiled Laws of North Dakota for 1913, as amended and re-enacted by Chapter 241 of Session Laws of North Dakota for 1929, and Chapter 279 of the Session Laws of North Dakota for 1931, relating to real property tax liens, repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

Introduction, first reading and reference, 225.

Reported back, 454.

Other action or amendments, 455, 488, 498, 533.

Senate Bill No. 215-(Committee on Public Safety)

Referred to Committee on Public Safety.

Senate Bill No. 215. A Bill for an Act Amending and Reenacting Section 16, of Chapter 139, of the 1937 Session Laws Relating to Motor Vehicle Drivers Licenses, to Provide for Appointment of Local Agents and Their Compensation for Issuing Licenses, and Repealing Section 17, of Said Chapter 139, of the 1937 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 225.

Reported back, 466.

Other action or amendments, 526, 974.

Second reading, 526.

To House, 565.

Returned to Senate, 983.

Signed by President, 1028.

Sent to Governor, 1068.

Senate Bill No. 216—(Lemke, Stucke and Thatcher)

Referred to Committee on Insurance.

Re-referred to Committee on Appropriations.

Senate Bill No. 216. A Bill for an Act to Amend and Reenact Chapter 284, of the 1927 Session Laws of the State of North Dakota, Providing for the Investment of Monies in the Workmen's Compensation Fund, and Making an Appropriation for Such Investments.

Introduction, first reading and reference, 225.

Reported back, 507.

Other action or amendments, 278.

Second reading, 570.

To House, 578.

Returned to Senate, 846.

Senate Bill No. 217-(Guthrie)

Referred to Committee on Judiciary.

Senate Bill No. 217. A Bill for an Act Repealing Sections 7770, 7771, 7772, 7773, 7774, 7775, and 7776 of the Compiled Laws for 1913, Dealing With Amercement of the Clerk of Court and Sheriff and Procedure, and Abolishing Amercement Proceedings.

Introduction, first reading and reference, 225. Reported back, 376.

Senate Bill No. 218-(Thorson, Isaak, Braun and Flatt)

Referred to Committee on State Affairs.

Senate Bill No. 218. A Bill for an Act to Amend and Reenact Section 9, of Chapter 311 of the Session Laws for the

Year 1931, as Amended and Re-enacted by Chapter 269, of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Introduction, first reading and reference, 225.

Reported back, 315.

Other action or amendments, 340.

Second reading, 341.

To House, 355.

Returned to Senate, 845.

Senate Bill No. 219-(Committee on State Affairs)

Referred to Committee on State Affairs.

Senate Bill No. 219. A Bill for an Act to Amend and Reenact Sections 2, 3, 4 and 5 of the Initiated Act Adopted June 28, 1938, Establishing the State Laboratories Department; Placing the Department Under the Management of a State Food Commissioner and Chemist; Abolishing the Office of Director; Providing for Special Inspectors; Providing for the Qualifications of Employes and Inspectors.

Introduction, first reading and reference, 225. Reported back, 478.

Senate Bill No. 220-(Committee on State Affairs)

Referred to Committee on Appropriations.

Senate Bill No. 220. A Bill for an Act to Provide a Building Fund for the State Laboratories Department, and Making an Appropriation Therefor.

Introduction, first reading and reference, 225. Reported back, 438.

Senate Bill No. 221-(Thatcher and Blank, by request)

Referred to the Committee on Appropriations.

Senate Bill No. 221. A Bill for an Act to Amend and Reenact Sections 1717 and 1718 of the Compiled Laws of the State of North Dakota for the Year 1913.

Withdrawn by Senator Thatcher, 235.

Senate Bill No. 222—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 222. A Bill for an Act Making an Appropriation for \$5,598.30 for Payment of Fire and Tornado Insurance Premiums Upon the Transient Camp Buildings, Located at Lake Metigoshe, Belonging to the State Historical Society.

Introduction, first reading and reference, 226. Reported back, 480. Second reading, 546. To House, 548. Returned to Senate, 841. Signed by President, 871. Sent to Governor, 1004.

Senate Bill No. 223-(Morrison)

Referred to Committee on Taxes and Tax Laws. Senate Bill No. 223. A Bill for an Act Authorizing the Sale of Farm and Grazing Lands by the State of North Dakota, Establishing a Real Estate Board of the State of North Dakota, Defining Its Duties, and Procedure and Terms, Declaring an Emergency.

Introduction, first reading and reference, 226. Reported back, 416.

Senate Bill No. 224—(Thatcher and Blank, by request)

Referred to Committee on State Affairs.

Senate Bill No. 224. A Bill for an Act to Amend and Reenact Sections 2568 and 2579 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 143, of the Session Laws of the State of North Dakota for the Year 1937, Providing for the Treatment and Maintenance of Insane Persons in the State Hospital for the Insane Shall Be a Charge Against the State of North Dakota, and Shall in Certain Instances Be Chargeable Against the Estate of Such Persons, and Repealing All Acts in Conflict Therewith.

Withdrawn by Senator Thatcher, 235.

Senate Bill No. 225-(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 225. A Bill for an Act Relating to the Giving of Proof of Financial Responsibility by Owners and Operators of Motor Vehicles and to Make Uniform the Law With Reference Thereto.

Introduction, first reading and reference, 226. Reported back, 468. Other action or amendments, 226, 333, 508. Second reading, 537. To House, 549. Returned to Senate, 983. Signed by President, 1050. Sent to Governor, 1068.

Senate Bill No. 226-(Whelan and Olson of Mountrail)

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 226. A Bill for an Act to Amend and Reenact Section 2 of That Certain Initiated Law Entitled "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of the State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election; as Amended by Chapter 150 of the Session Laws of North Dakota for the Year 1933, Repealing All Acts or Parts of Acts in Conflict, and Declaring an Emergency.

Introduction, first reading and reference, 226. Reported back, 393. Other action or amendments, 431, 980, 981, 982, 994. Second reading, 431, 1090. To House, 458. Returned to Senate, 980. Signed by President, 1106. Sent to Governor, 1107. Senate Bill No. 227-(Raschko, Leum and Magoffin)

Referred to Committee on Corporations.

Re-referred to Committee on Judiciary.

Senate Bill No. 227. A Bill for an Act to Provide That Municipal Corporations and Religious, Charitable and Educational Institutions Not Operated for Profit Shall Be Billed and Charged by Public Utilities on a Unit Basis; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 227.

Reported back, 389, 487.

Other action or amendments, 430.

Senate Bill No. 228-(Holl)

Referred to Committee on State Affairs.

Senate Bill No. 228. A Bill for an Act Providing for Transfer of Certain School Lands Situated in Williams and Barnes Counties, Respectively, State of North Dakota, to Williams and Barnes Counties, to Be Used and Maintained as Public Parks, and Authorizing the Exchange of Lands Belonging to Said Counties Therefor; and Declaring an Emergency.

Introduction, first reading and reference, 227. Reported back, 415. Other action or amendments, 446, 855, 890. Second reading, 446, 855. To House, 458. Returned to Senate, 855. Signed by President, 888. Sent to Governor, 1004.

Senate Bill No. 229-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 229. A Bill for an Act Defining "Boarding Home for the Aged and Infirm"; Providing for the Licensing and Regulating of Such Homes by the State Board of Health in Coordination With the Public Welfare Board; and for Making Such Rules as May Be Necessary to Carry Out the Purpose of This Act; Providing for a Penalty, and Declaring an Emergency.

Introduction, first reading and reference, 227. Reported back, 465.

Senate Bill No. 230-(Whelan and Flatt)

Referred to Committee on Judiciary.

Senate Bill No. 230. A Bill for an Act to Enact the Control of Refined Nuisances, Such as Beauty Contests or Queen Contests or King Contests, or Any Other Popular Contests, Providing a Penalty Therefor and Declaring an Emergency.

Introduction, first reading and reference, 227. Reported back, 315.

Senate Bill No. 231—(Fowler and Whelan)

Referred to Committee on Elections.

Senate Bill No. 231. A Bill for an Act to Amend and Reenact Section 9255 of the Compiled Laws of North Dakota, 1913; Relating to Crimes Against the Elective Franchise; Soliciting and Contributing for Elections; Punishments and Exceptions.

Introduction, first reading and reference, 227.

Reported back, 348.

Senate Bill No. 232-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 232. A Bill for an Act Making an Appropriation for the Use and Benefit of the State Highway Department of the State of North Dakota to Pay for Equipment (Purchased From and Installed by the Addressograph Multigraph Corporation.)

Introduction, first reading and reference, 273. Reported back, 436. Other action or amendments, 475, 488, 551, 819, 821. Second reading, 551, 819, 821. To House, 575. Returned to Senate, 819. Signed by President, 874. Sent to Governor, 1004.

Senate Bill No. 233-(Thatcher)

Referred to Committee on Judiciary.

Senate Bill No. 233. A Bill for an Act Providing for a Lien in Favor of House-Movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Introduction, first reading and reference, 273. Reported back, 377. Other action or amendments, 422. Second reading, 422. To House, 441. Returned to Senate, 846.

Senate Bill No. 234-(Stucke)

Referred to Committee on Banks and Banking.

Senate Bill No. 234. A Bill for an Act to Amend and Reenact Section 6 of Chapter 108 of the Session Laws of 1935 as Amended by Chapter 114 of the Session Laws of 1937 and Sections 9, 10, 17 and 18 of Chapter 108 of the Session Laws of 1935; Repealing All Inconsistent Acts; and Declaring an Emergency.

Introduction, first reading and reference, 273. Reported back, 467. Second reading, 540. To House, 548. Returned to Senate, 735. Signed by President, 881. Sent to Governor, 1004.

Senate Bill No. 235-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 235. A Bill for an Act Appropriating the Sum of One Thousand Two Hundred Forty Dollars and Fiftyone 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.

Introduction, first reading and reference, 273. Reported back, 344. Second reading, 362. To House, 378. Returned to Senate, 844.

Senate Bill No. 236—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 236. A Bill for an Act to Amend and Reenact Section 3 of Chapter 255 of the Session Laws of 1937, Relating to the Creation of State Water Conservation Commission.

Introduction, first reading and reference, 273. Reported back, 373. Second reading, 399. To House, 414. Returned to Senate, 845.

Senate Bill No. 237-(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 237. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil 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 Reports; Repealing Chapter 227 of the Session Laws of 1937 and All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading and reference, 273. Reported back, 374. Other action or amendments, 402, 1013, 1026, 1076. Second reading, 402, 1077. To House, 414. Returned to Senate, 1005. Signed by President, 1106. Sent to Governor, 1107.

Senate Bill No. 238—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 238. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Introduction, first reading and reference, 274. Reported back, 520. Other action or amendments, 1037, 1057, 1057. Second reading, 576, 1057. To House, 583. Returned to Senate, 1035. Signed by President, 1061. Sent to Governor, 1074.

Senate Bill No. 239—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 239. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill No. 237 as Passed by the 1939 Session of the Legislature.

Introduction, first reading and reference, 300.

Reported back, 506.

Other action or amendments, 974, 1013, 1026, 1078.

Second reading, 569, 1079.

To House, 579.

Returned to Senate, 974.

Signed by President, 1106.

Sent to Governor, 1107.

Senate Bill No. 240-(Wog and Raschko)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 240. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election or by Judicial Procedure and for the Proceedings Therefor; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for Submitting the Question if Portions of This Act Are Unconstitutional or Final Decree Denies the Petition; and for Retaining the Validity of the Remaining Provisions of This Act if Any Are Declared Unconstitutional; and for the Repeal of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 300. Reported back, 467.

Other action or amendments, 534, 536, 696.

Second reading, 582.

To House, 583.

Returned to Senate, 692.

Signed by President, 885.

Sent to Governor, 1004.

Senate Bill No. 241-(Braun)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 241. A Bill for an Act to Provide for the Better Enforcement and Collection of Personal Property Taxes by Providing for the Appointment of a Special Tax Collector; Prescribing His Duties, Authority and Compensation; and Declaring an Emergency.

Introduction, first reading and reference, 300.

Reported back, 395.

Other action or amendments, 443.

Second reading, 443. To House, 458.

Returned to Senate, 615.

Senate Bill No. 242—(Bridston and Nelson of Grand Forks) Referred to Committee on State Affairs.

Senate Bill No. 242. A Bill for an Act to Re-establish the North Dakota Mill and Elevator Association and Define Its Powers and Duties; to Provide for the Establishment of a North Dakota Board of Industrial Management, Define Its Powers and Duties in Respect to the Management, Operation and Control of the Properties and Businesses of the North Dakota Mill and Elevator Association, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 301. Reported back, 467. Second reading, 532. To House, 549.

Returned to Senate, 940.

Senate Bill No. 243—(Blaisdell, Whelan, Fowler, Braun and Leum)

Referred to Committee on Appropriations.

Senate Bill No. 243. A Bill for an Act Appropriating the Sum of \$27,845.92 to the Northern Improvement Company Out of Any Funds in the State Treasury Available to the State Highway Department by Reason of the Appropriation Contained in Senate Bill No. 238, Pending in This Legislative Session or Otherwise in Said State Treasury, for the Construction, Reconstruction and Maintenance of Public Roads, Including Necessary Expenses of Labor, Equipment and Other Costs and Expenses Allowed by Statute and Required for Such Construction, Reconstruction and Maintenance, and Declaring an Emergency.

Introduction, first reading and reference, 301. Reported back, 480.

Senate Bill No. 244—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 244. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Introduction, first reading and reference, 301.

Reported back, 527.

Other action or amendments, 1049.

Second reading, 581, 1049.

To House, 583.

Returned to Senate, 1046.

Signed by President, 1061.

Sent to Governor, 1074.

Senate Bill No. 245—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 245. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduction, first reading and reference, 317. Reported back, 518. Second reading, 574, 1047. To House, 578. Returned to Senate, 1046. Signed by President, 1061. Sent to Governor, 1075.

Senate Bill No. 246-(Fowler and Beaton)

Referred to Committee on State Affairs.

Senate Bill No. 246. A Bill for an Act Exempting Employes Who Are Residents of and Who Are Insured Under the Workmen's Compensation Act or Similar Statute of Another State From the Application of the North Dakota Workmen's Compensation Act Where Such Other State Recognizes Extra-territorial Coverage Furnished to North Dakota Employers for Their Employes While Working in Such Other State.

Introduction, first reading and reference, 317. Reported back, 417. Other action or amendments, 432, 448, 456. Second reading, 448. To House, 449. Returned to Senate, 735. Signed by President, 882. Sent to Governor, 1004.

Senate Bill No. 247-(Bridston, Guthrie and Morrison)

Referred to Committee on Judiciary.

Senate Bill No. 247. A Bill for an Act Amending Section 9991 of the 1925 Supplement of the Compiled Laws of 1913. Relating to Misuse of Fraternal and Other Emblems to Victimize Charitably Disposed Persons Through False Personification.

Introduction, first reading and reference, 317. Reported back, 376. Other action or amendments, 737. Second reading, 420, 737. To House, 446. Returned to Senate, 737. Signed by President, 882 Sent to Governor, 1004.

Senate Bill No. 248-(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 248. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund for the Biennium Beginning July 1, 1939.

Introduction, first reading and reference, 317. Reported back, 508. Second reading, 572. To House, 578. Returned to Senate, 735. Signed by President, 882. Sent to Governor, 1004.

Senate Bill No. 249—(Committee on Appropriations) Referred to Committee on Appropriations. Senate Bill No. 249. A Bill for an Act Making an Appro-

priation for the Purpose of Operating and Maintaining the State Bonding Fund for the Biennium Beginning July 1, 1939.

Introduction, first reading and reference, 318.

Reported back, 519.

Other action or amendments, 868, 891.

Second reading, 576, 869.

To House, 578.

Returned to Senate, 868.

Signed by President, 888.

Sent to Governor, 1004.

Senate Bill No. 250-(Committee on Delayed Bills)

Referred to Committee on Judiciary.

Senate Bill No. 250. A Bill for an Act to Amend and Reenact Section 2565 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 109, of the Session Laws of 1929, Relating to Salaries and Fees of Members of Board of Commissioners of Insanity, by Whom Paid, and Declaring an Emergency.

Introduction, first reading and reference, 329. Reported back, 377. Other action or amendments, 421. Second reading, 421. To House, 441. Returned to Senate, 846.

Senate Bill No. 251-(Fredrickson and Guthrie)

Referred to Committee on State Affairs.

Senate Bill No. 251. A Bill for an Act to Facilitate the Co-operation of This State With Other Units of Government and to Establish an Unpaid Commission for That Purpose, and Declaring an Emergency.

Introduction, first reading and reference, 329. Reported back, 416. Second reading, 447. To House, 457. Returned to Senate, 694.

Senate Bill No. 252-(Blaisdell)

Referred to Committee on Highways.

Senate Bill No. 252. A Bill for an Act to Repeal Section 8 of Chapter 125 of the 1933 Session Laws Relating to Duties of State Highway Commissioner and to Dispense With the Necessity of Filing Monthly With the State Auditing Board an Itemized Statement of Materials Sold or Purchased.

Introduction, first read and reference, 329.

Reported back, 477.

Second reading, 543.

To House, 548.

Returned to Senate, 694.

Senate Bill No. 253—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 253. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Introduction, first reading and reference, 330. Reported back, 520. Second reading, 578. To House, 583. Returned to Senate, 1014. Signed by President, 1051. Sent to Governor, 1068.

Senate Bill No. 254-(Blank and Guthrie)

Referred to Committee on Appropriations.

Senate Bill No. 254. A Bill for an Act Making an Appropriation for Payment for Lands Owned by the State Treasurer as Trustee for the State of North Dakota in the Vicinity of Established Indian Reservations.

Introduction, first reading and reference, 330. Reported back, 506.

Senate Bill No. 255—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 255. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department, for the Biennium Beginning July 1, 1939.

Introduction, first reading and reference, 330. Reported back, 507. Other action or amendments, 1037, 1087. Second reading, 571, 1088. To House, 577. Returned to Senate, 1035. Signed by President, 1105. Sent to Governor, 1107.

Senate Bill No. 256—(Fredrickson)

Referred to Committee on Judiciary.

Senate Bill No. 256. A Bill for an Act to Amend and Reenact Sub-division (1) of Section 811 of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 143, of the Session Laws of North Dakota for 1933, Relating to the Distribution of State Bar Funds to the Bar Association of North Dakota and Declaring an Emergency.

Introduction, first reading and reference, 334. Reported back, 388. Second reading, 427. To House, 440. Returned to Senate, 731. Signed by President, 882. Sent to Governor, 1004.

Senate Bill No. 257-(Committee on Delayed Bills)

Referred to Committee on State Affairs.

Re-referred to Committee on Appropriations.

Senate Bill No. 257. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Introduction, first reading and reference, 344.

Reported back, 433, 507.

Other action or amendments, 584.

Second reading, 584.

To House, 585.

Returned to Senate, 843.

Senate Bill No. 258-(Taxes and Tax Laws)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 258. A Bill for an Act Providing Suspension of Remedies to Enforce or Effectuate Tax Liens Certificates and Titles Affecting Lands Acquired by the State Treasurer as Trustee for the State of North Dakota Under the Provisions of Sections 2290b9 and 2290c9 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Acts Amendatory Thereof, Providing for Removal of Such Suspension Upon Sale of Said Lands, Providing Authority for Payment of the Original Amounts of General Taxes, and Cancellation of Liens, Certificates and Titles Based Thereon, and Providing for Repeal of All Inconsistent Acts, Including Chapter 290 of the North Dakota Session Laws of 1931, and Declaring an Emergency.

Introduction, first reading and reference, 345.

Reported back, 416.

Other action or amendments, 950, 973.

Second reading, 447, 950.

To House, 457.

Returned to Senate, 947. Signed by President, 1005. Sent to Governor, 1068.

Senate Bill No. 259—(Committee on Education)

Referred to Committee on Appropriations.

Senate Bill No. 259. A Bill for an Act Authorizing the State Treasurer to Invest and Reinvest Funds of the State Fire and Tornado Fund, and Appropriating Such Funds for That Purpose.

Introduction, first reading and reference, 345. Reported back, 373. Second reading, 398. To House, 400. Returned to Senate, 552. Signed by President, 588. Sent to Governor, 605. Senate Bill No. 260—(Bridston, Fowler and Blaisdell) Referred to Committee on State Affairs.

Senate Bill No. 260. A Bill for an Act Amending and Reenacting Chapter 102, Session Laws of the State of North Dakota for the Year 1929.

Introduction, first reading and reference, 345.

Reported back, 433.

Other action or amendments, 473, 1053, 1087, 1089, 1095. Second reading, 474, 1095.

To House, 487.

Returned to Senate, 1048.

Signed by President, 1106.

Sent to Governor, 1107.

Senate Bill No. 261-(Committee on Delayed Bills)

Referred to Committee on Public Lands.

Senate Bill No. 261. A Bill for an Act Authorizing the State Treasurer as Trustee for the State of North Dakota to Transfer Lands Owned by Him to Owners of Other Lands of Approximately Equal Value in Exchange for Transfers of Such Other Lands, and Declaring an Emergency.

Introduction, first reading and reference, 345. Reported back, 468. Other action or amendments, 541. Second reading, 542. To House, 566. Returned to Senate, 732. Signed by President, 882. Sent to Governor, 1004.

Senate Bill No. 262-(Guthrie)

Referred to Committee on Judiciary.

Senate Bill No. 262. A Bill for an Act Authorizing Investment of All Trust Funds by Legal Custodian; Providing Appropriations of Trust Funds for Investment Purposes and Repealing All Acts in Conflict Herewith.

Introduction, first reading and reference, 345. Reported back, 388. Second reading, 428. To House, 440. Returned to Senate, 732. Signed by President, 883. Sent to Governor, 1004.

Senate Bill No. 263-(Committee on Judiciary)

Referred to Committee on Judiciary.

Senate Bill No. 263. A Bill for an Act to Amend and Reenact Section 7412 of the Compiled Laws of 1913, Relating to Power of Court, Interpleader, and Declaring an Emergency.

Introduction, first reading and reference, 345. Reported back, 436. Second reading, 474. To House, 487. Returned to Senate, 845. Senate Bill No. 264—(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 264. A Bill for an Act to Amend and Reenact Sections 2079b1, 2079b4, and 2079b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Certificates of Indebtedness and Warrants; Providing for the Issuance of Deferred Payment Warrants; and Repealing Section 2079b13 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 247 of the Session Laws of North Dakota for 1933, and as Amended and Re-enacted by Chapter 283 of the Session Laws of 1935, and All Laws or Parts of Laws in Conflict Therewith.

Introduction, first reading and reference, 349. Reported back, 477. Second reading, 545.

Senate Bill No. 265-(Stucke and Thatcher)

Referred to Committee on State Affairs.

Senate Bill No. 265. A Bill for an Act Providing That the Emergency Commission Created and Established by Section 283c1 of the 1925 Supplement to the Compiled Laws of the State of North Dakota Shall Pass Upon All Expenditures From the Emergency Fund of the State Hail Insurance Department, and Declaring an Emergency.

Introduction, first reading and reference, 364.

Reported back, 478.

Other action or amendments, 479, 498, 869, 886, 968, 980, 1055.

Second reading, 562.

To House, 565.

Returned to Senate, 869.

Senate Bill No. 266-(Brant)

Referred to Committee on State Affairs.

Senate Bill No. 266. A Bill for an Act Authorizing, Empowering and Directing the Governor and State Treasurer to Issue Negotiable Bonds of the State of North Dakota for the Purpose of Paying Taxes on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota; Providing for a Tax to Pay Principal and Interest; Making an Appropriation Therefor to Carry Out the Provisions of This Act and Declaring an Emergency.

Introduction, first reading and reference, 364.

Reported back, 468.

Other action or amendments, 488.

Second reading, 533.

Senate Bill No. 267-(Nelson of McKenzie)

Referred to Committee on Judiciary.

Senate Bill No. 267. A Bill for an Act to Amend and Reenact Section 9918a of the 1925 Supplement to the Compiled Laws for 1913, Relating to the Definition of Larceny of Poultry and Livestock and Prescribing a Penalty, Creating a Presumption, and Prescribing the Authority of Peace Officers.

Introduction, first reading and reference, 379. Reported back, 436.

Other action or amendments, 395.

Senate Bill No. 268-(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 268. A Bill for an Act to Amend and Reenact Section 1498 of the Compiled Laws of 1913, Relating to the Records of the Teachers' Insurance and Retirement Fund.

Introduction, first reading and reference, 379. Reported back, 477. Second reading, 544. To House, 548. Returned to Senate, 846.

Senate Bill No. 269—(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 269. A Bill for an Act Providing Terms for the Resale to the Original Mortgagor, His Heirs, Devisees or Assigns of Lands Acquired by the Board of University and School Lands, as Security for Loans Made by Such Board; and Repealing All Acts or Parts of Acts in Conflict With the Provisions Thereof.

Introduction, first reading and reference, 379. Reported back, 477.

Senate Bill No. 270-(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 270. A Bill for an Act Providing That the Furnishing of Transportation or Its Equivalent to School Children Shall Be Optional With the School Board of Each District; Repealing All Laws or Parts of Laws in Conflict Therewith.

Introduction, first reading and reference, 380. Reported back, 477. Second reading, 544. To House, 548. Returned to Senate, 846.

Senate Concurrent Resolution No. 271-(Braun)

Referred to Committee on State Affairs.

Senate Concurrent Resolution No. 271. A Concurrent Resolution Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Introduction, first reading and reference, 407. Reported back, 434. Second reading, 471. To House, 487. Returned to Senate, 793. Signed by President, 874. Sent to Secretary of State, 1003. INDEX

Senate Bill No. 272-(Drew, Stucke, Bridston)

Referred to Committee on Ways and Means.

Senate Bill No. 272. A Bill for an Act to Create a State Board of Plumbing for the Regulation of Plumbing in Cities and Villages; for the Licensing and Registration of Plumbers; for the Supervision and Inspection of Plumbing and the Adoption and Enforcement of Minimum Standards of Plumbing.

Introduction, first reading and reference, 418. Reported back, 468.

Senate Bill No. 273-(Wog)

Referred to the Committee on Taxes and Tax Laws. Re-referred to the Committee on State Affairs.

Senate Bill No. 273. A Bill for an Act to Amend and Reenact Section 2079b13, Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 247 of the Session Laws of 1933, as Amended by Chapter 283 of the Session Laws of 1935; Repealing all Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 418. Reported back, 459. Other action, 442.

Senate Bill No. 274-(Committee on Delayed Bills)

Referred to Committee on Education.

Senate Bill No. 274. A Bill for an Act to Amend and Reenact Section 1828 of the Compiled Laws of North Dakota for 1925 Relating to Fuel for State, County and School District Organizations.

Introduction, first reading and reference, 418.

Reported back, 477.

Other action or amendments, 477.

Second reading, 560.

Senate Bill No. 275-(Watt)

Referred to Committee on State Affairs.

Senate Bill No. 275. A Bill for an Act Prohibiting the Use of Motor Vehicles Owned by the State, or Any Department, Board, Bureau, Commission, Institution, or Other Agency of the State, Including the State Mill and Elevator and the Bank of North Dakota by Any State Officer or Other Public Employee, and Prohibiting the Collection and Receipt of Any Mileage or Other Traveling Expenses for the Operation of a Privately Owned Motor Vehicle by Such State Officer or Other Public Employee While Engaged in Any Political Activity, and Prescribing Penalties Therefor.

Introduction, first reading and reference, 439.

Reported back, 467.

Other action or amendments, 489.

Second reading, 489.

To House, 531.

Returned to Senate, 983.

Signed by President, 1028.

Sent to Governor, 1068.

Senate Bill No. 276-(Committee on Delayed Bills)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 276. A Bill for an Act to Amend and Reenact Section 6, of Chapter 244, of the Session Laws of 1937, Relating to Liens and Assignments Acquired in Proceedings for the Collection of Rents to Be Applied on Real Estate Taxes; Providing for Priority of Liens Acquired by the United States Government or Any Agency Thereof, and Repealing All Acts in Conflict Herewith; Declaring an Emergency.

Introduction, first reading and reference, 473. Reported back, 483. Other action or amendments, 722, 1036. Second reading, 547, 1036. To House, 548. Returned to Senate, 630, 1035. Signed by President, 1052. Sent to Governor, 1067.

Senate Bill No. 277—(Committee on Delayed Bills)

Referred to Committee on Appropriations.

Senate Bill No. 277. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Salaries and Expenses Due Inspectors of the Motor Vehicle Registration Department; and Declaring an Emergency.

Introduction, first reading and reference, 473. Reported back, 518. Other action or amendments, 696, 743, 774, 775, 796, 851, 903, 910, 912, 913, 1087, 1096, 1097, 1098, 1103, 1104. Second reading, 573, 796. To House, 577, 1014. Returned to Senate, 692. Signed by President, 723. Sent to Governor, 1107.

Senate Bill No. 278—(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 278. A Bill for an Act Relating to the Board of University and School Lands; Relating to Its Duties and Powers in Relation to Investment of Its Funds, Management of Same; Providing for Levy to Take Care of Losses; Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading and reference, 473.

Reported back, 480.

Second reading, 545.

To House, 548.

Returned to Senate, 845.

Senate Bill No. 279-(Committee on Education)

Referred to Committee on Education.

Senate Bill No. 279. A Bill for an Act Requiring All School District Officers and Directors and Members of School Boards of Any Common, Special or Independent School Districts to Serve Without Compensation; Providing a Penalty and Repealing All Laws and Parts of Laws in Conflict Therewith.

Introduction, first reading and reference, 473. Reported back, 502.

Senate Bill No. 280—(Committee on Delayed Bills)

Referred to Committee on Judiciary.

Senate Bill No. 280. A Bill for an Act to Amend and Reenact Section 8100 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 155, of the Session Laws of North Dakota for 1933, Relating to the Foreclosure of Real Estate Mortgages; What the Judgment and Decree of Foreclosure Shall Contain; Providing for the Issuance of Execution on Certain Deficiency Judgments; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 473. Reported back, 504.

Other action or amendments, 539, 539.

Senate Bill No. 281—(Committee on Delayed Bills)

Referred to Committee on Taxes and Tax Laws.

Senate Bill No. 281. A Bill for an Act to Amend and Reenact Sections 548a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, Relating to the Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Introduction, first reading and reference, 488.

Reported back, 502.

Other action or amendments, 949, 973.

Second reading, 566, 949.

To House, 576.

Returned to Senate, 947.

Signed by President, 1005.

Sent to Governor, 1068.

Senate Concurrent Resolution No. 282—(Committee on Education)

Referred to Committee on Education.

Senate Concurrent Resolution No. 282. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide for an Appointive Board to Manage the Permanent Funds of the State, Abolishing the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Introduction, first reading and reference, 523.

Reported back, 524.

Second reading, 579.

To House, 583.

Returned to Senate, 1041.

Senate Bill No. 283-(Committee on Delayed Bills)

Referred to the Committee on Military and Indian Affairs.

Senate Bill No. 283. A Bill for an Act Prescribing the Oath to Be Taken and Subscribed to by Professors, Instructors and Teachers in Public Schools, Colleges and Universities of the State. Introduction, first reading and reference, 523. Reported back, 524. Second reading, 579. To House, 583. Returned to Senate, 840. Signed by President, 871. Sent to Governor, 1005.

Senate Bill No. 284—(Committee on Delayed Bills)

Referred to the Committee on Taxes and Tax Laws.

Senate Bill No. 284. A Bill for an Act Relating to Copyrights and Public Performing Rights in Musical Compositions and Dramatico-Musical Compositions, Requiring Lists Thereof to Be Filed, Regulating the Issue of Licenses With Respect Thereto, Prohibiting Discrimination, Providing for Service of Process, Levying a Privilege Tax, Providing Penalties, and Repealing Inconsistent Acts.

Introduction, first reading and reference, 523. Reported back, 524. Other action or amendments, 865, 894. Second reading, 580, 865. To House, 583. Returned to Senate, 842. Signed by President, 922. Sent to Governor, 1004.

Senate Concurrent Resolution No. 285—(Committee on Agriculture and Livestock)

Referred to the Committee on Agriculture and Livestock.

Senate Concurrent Resolution No. 285. A Concurrent Resolution Memorializing the Members of the United States Congress Urging Congress to Pass a Bill to Establish a National Land Policy and to Provide Homesteads Free of Debt for Actual Farm Families, Which Bill is Now Pending in Congress Known as S. 136.

Introduction, first reading and reference, 637. Second reading, 721. To House, 749.

Returned to Senate, 793.

Signed by President, 875.

Sent to Secretary of State, 1003.

Senate Concurrent Resolution No. 286-(Guthrie)

Referred to the Committee on Federal Relations.

Senate Concurrent Resolution No. 286. Memorializing Congress to Secure the Restoration of Balance of Funds From the Reclamation Bureau of the U. S. Dept. of the Interior From Sale of Public Land and That Such Funds be Made Available for the Establishment and Construction of Irrigation Projects.

Introduction, first reading and reference, 823. Reported back, 870. Other action or amendments, 871.

Second reading, 871.

To House, 913.

Returned to Senate, 946.

Senate Concurrent Resolution No. 287. A Concurrent Resolution Urging an Investigation by the President of the United States and Congress of the Relief Situation in North Dakota.

Introduction, first reading and reference, 901. To House, 913. Adopted, 901. Returned to Senate, 943. Signed by President, 1006. Sent to Secretary of State, 1067.

Senate Concurrent Resolution No. 288.

Senate Concurrent Resolution No. 288. A Concurrent Resolution Providing for Payment of House and Senate Employees for Four Extra Days.

Introduction, first reading and reference, 1043.

Other action or amendments, 1043.

Second reading, 1043.

To House, 1045. Returned to Senate, 1059.

Signed by President, 1085. Sent to Secretary of State, 1094.

SENATE RESOLUTIONS

Joint Resolution "A"-(Whelan and Fitch)

Joint Resolution "A." A Resolution Relative to the United States Flag Association and Indorsing a National Patriotic Revival.

First reading, 730. Adoption, 731. Returned to Senate, 839. Signed by President, 871. Sent to Secretary of State, 1003.

Senate Resolution "A."

Senate Resolution "A." A Senate Resolution Authorizing the Industrial Commission to Dispose of Durum Wheat Now in Storage at the State Mill and Elevator.

Indefinitely postponed by Senate, 59.

Joint Memorial Resolution "C."

Joint Memorial Resolution "C" for the late Joseph Devine.

Unanimously adopted. Signed by President, 1107. Sent to Secretary of State, 1111.

Joint Memorial Resolution "B."

Joint Memorial Resolution "B" for the late William D. Lynch.

Unanimously adopted. Signed by the President, 1105. Sent to Secretary of State, 1111.

Senate Memorial Resolution "A" — (Nelson of McKenzie, Watt and Fowler)

Senate Memorial Resolution "A" for the late J. K. Brostuen.

Unanimously adopted, 42. Signed by President, 66.

Senate Memorial Resolution "B" — Bridston, Nelson of Grand Forks and Young)

Senate Memorial Resolution "B" for the late John L. Hulteng.

Unanimously adopted, 46.

Delivered to Secretary of State, 1111.

Senate Resolution "C" — (Committee on Agriculture and Livestock)

Referred to the Committee on Agriculture and Livestock. Senate Resolution "C." A Resolution Relating to the Eradication of Grasshoppers by Arsenic Poison.

Introduction, 135. Amended, 190. Committee report adopted, 204. Adopted, 235. Signed by President Pro Tem, 263. Sent to Secretary of State, 1111.

Senate Resolution "D."

Senate Resolution "D." A Resolution Making Provision for Funds to Force Collection of Taxes and Interest on Farm Loans, Farm Contracts, and Farm Rental Contracts With the Land Department.

First reading, 524. Unanimously adopted, 524. Other action, 612.

Senate Resolution "E"-(Thorson)

Senate Resolution "E." A Resolution Memorializing Congress to Take Steps to Check Mortgage Foreclosures on the Part of Federal Agencies.

First reading, 822. Adopted, 822.

Concurrent Resolution "A."

Concurrent Resolution "A." A Concurrent Resolution Providing and Designating House and Senate Employees and Naming and Fixing Their Salaries.

Introduction and first reading, 74.

Other action, 81.

Adopted, 82.

Senate Concurrent Resolution "B"—(Skarvold, Lavik, Thorson and Trout)

Referred to Committee on State Affairs.

Senate Resolution "B." A Resolution Memorializing Congress and the President of the United States to Lift Embargo on Merchandise to Loyalist Spain.

Introduced, 135.

Indefinitely postponed by Senate, 152.

HOUSE BILLS AND CONCURRENT RESOLUTIONS

House Bill No. 1

House Bill No. 1. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929, Creating the Office of Grain Storage Commissioner, and Declaring an Emergency.

Received from the House, 99. First reading and reference, 102. Reported back, 118. Second reading, 131. To House, 133. Signed by President, 147. Returned to House, 147.

House Bill No. 3

House Bill No. 3. A Bill for an Act Making an Appropriation for the Per Diem, Salaries and General Expenses of the State Livestock Sanitary Board.

Received from House, 370. First reading and reference, 385. Reported back, 729. Other action or amendments, 916. Second reading, 833. To House, 889. Signed by President, 1009. Returned to House, 1021.

House Bill No. 4

House Bill No. 4. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Received from House, 271. First reading and reference, 282. Reported back, 596. Second reading, 621. To House, 633. Signed by President, 688. Returned to House, 710.

House Bill No. 5

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Testing and Indemnifying Owners of Animals Infected With Bovine Tuberculosis and to Pay Expenses in Connection Therewith, and Declaring an Emergency.

Received from House, 370. First reading and reference, 385. Reported back, 713, 797. Other action or amendments, 730, 750, 941. Second reading, 861. To House, 929. Signed by President, 1012. Returned to House, 1019. House Bill No. 6

House Bill No. 6. 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.

Received from House, 272. First reading and reference, 283. Reported back, 650. Other action or amendments, 730. Second reading, 752. To House, 808. Signed by President, 961. Returned to House, 970.

House Bill No. 7

House Bill No. 7. 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.

Received from House, 272. First reading and reference, 283. Reported back, 596. Second reading, 620. To House, 633. Signed by President, 670. Returned to House, 710.

House Bill No. 8

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerk Hire, and General Expenses of the State Historical Society.

Received from House, 481.

First reading and reference, 490.

Reported back, 714.

Other action or amendments, 750, 851, 893, 905, 956, 960, 977, 998, 1059.

Second reading, 756, 956, 996.

To House, 807.

Signed by President, 1068.

Returned to House, 1073.

House Bill No. 9

House Bill No. 9. A Bill for an Act Making an Appropriation for Acquiring and Maintaining State Parks as Provided for in Chapter 216, Session Laws of 1935.

Received from House, 482.

First reading and reference, 490.

Reported back, 729.

Other action, 827.

Second reading, 831.

To House, 836. Signed by President, 1012. Returned to House, 1019.

House Bill No. 10

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the Department of Public Health.

Received from House, 143. First reading and reference, 146. Reported back, 652. Other action or amendments, 649, 750, 893, 900, 906, 940. Second reading, 753. To House, 808. Signed by President, 1008. Returned to House, 1018.

House Bill No. 11

House Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Received from House, 143. First reading and reference, 146. Reported back, 652. Other action or amendments, 750, 851, 861, 891, 892, 900. Second reading, 754. To House, 808. Signed by President, 1009. Returned to House, 1021.

House Bill No. 12

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Clerkhire and General Expenses of the Division of Child Hygiene.

Received from House, 143. First reading and reference, 146. Reported back, 652. Other action or amendments, 649, 851, 893, 900, 905, 941. Second reading, 761. To House, 807. Signed by President, 1008. Returned to House, 1016.

House Bill No. 13

House Bill No. 13. 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.

Received from House, 438. First reading and reference, 444. Reported back, 661. Other action or amendments, 750, 850. Second reading, 754. To House, 807.

Signed by President, 964.

Returned to House, 971.

House Bill No. 15

House Bill No. 15. A Bill for an Act Making an Appro-priation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from House, 272.

First reading and reference, 283.

Reported back, 627.

Other action or amendments, 672, 673, 734, 746, 751, 898, 902, 913.

Second reading, 672, 673, 898.

To House, 711.

Signed by President, 1012.

Returned to House, 1019.

House Bill No. 16

House Bill No. 16. 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.

Received from House, 272.

First reading and reference, 283.

Reported back, 627.

Other action or amendments, 672, 734, 746, 751, 896, 902, 913.

Second reading, 673, 896.

To House, 711.

Signed by President, 1012.

Returned to House, 1018.

House Bill No. 17

House Bill No. 17. 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.

Received from House, 272.

First reading and reference, 283.

Reported back, 628.

Other action or amendments, 674, 734, 746, 751, 895, 902, 913.

Second reading, 674.

To House, 711, 895. Signed by President, 1011.

Returned to House, 1018.

House Bill No. 18

House Bill No. 18. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditures and Audit Thereof; Supervision and Inspection Therefor.

Received from House, 272.

First reading and reference, 283.

Reported back, 628.

Other action or amendments, 675, 734, 746, 751, 865, 902, 913.

Second reading, 675.

To House, 711, 866. Signed by President, 1013. Returned to House, 1018.

House Bill No. 19

House Bill No. 19. 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.

Received from House, 272. First reading and reference, 283. Reported back, 628. Other action or amendments, 676, 734, 746, 751, 899, 902, 913. Second reading, 676, 899. To House, 712. Signed by President, 1011. Returned to House, 1019.

House Bill No. 20

House Bill No. 20. 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, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from House, 272. First reading and reference, 283. Reported back, 628. Other action or amendments, 676, 734, 746, 751, 897, 902, 913. Second reading, 677, 898. To House, 712. Signed by President, 1011. Returned to House, 1017.

House Bill No. 21

House Bill No. 21. 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.

Received from House, 272. First reading and reference 284. Reported back, 596. Second reading, 620. To House, 633. Signed by President, 671. Returned to House, 710.

House Bill No. 22

House Bill No. 22. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota. Received from House, 482. First reading and reference, 490. Reported back, 597. Other action or amendments, 734. Second reading, 618. To House, 633. Signed by President, 883. Returned to House, 909.

House Bill No. 23

House Bill No. 23. 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.

Received from House, 348. First reading and reference, 358. Reported back, 596. Second reading, 622. To House, 633. Signed by President, 670. Returned to House, 709.

House Bill No. 24

House Bill No. 24. 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.

Received from House, 370. First reading and reference, 385. Reported back, 713. Other action or amendments, 750. Second reading, 755. To House, 808. Signed by President, 963. Returned to House, 969.

House Bill No. 25

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Received from House, 167. First reading and reference, 174. Reported back, 596. Second reading, 622. To House, 633. Signed by President, 670. Returned to House, 709.

House Bill No. 26

House Bill No. 26. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, as Amended by Chapter 254, Session Laws of 1937, and Acts Amendatory Thereof.

Received from House, 326.

First reading and reference, 341.

Reported back, 606. Second reading, 641. To House, 683. Signed by President, 876. Returned to House, 907.

House Bill No. 27

House Bill No. 27. 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.

Received from House, 167. First reading and reference, 174. Reported back, 595. Second reading, 617. To House, 633. Signed by President, 670. Returned to House, 709.

House Bill No. 28

House Bill No. 28. 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.

Received from House, 271. First reading and reference, 284. Reported back, 596. Second reading, 624. To House, 633. Signed by President, 671. Returned to House, 710.

House Bill No. 29

House Bill No. 29. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions. Received from House, 167. First reading and reference, 174. Reported back, 629. Other action or amendments, 734. Second reading, 677. To House, 708. Signed by President, 874. Returned to House, 909.

House Bill No. 30

House Bill No. 30. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice as Provided by Section 11162, Compiled Laws of 1913, as Amended and Re-enacted by Chapter 160, Laws of 1915, the same being Section 11162 of the Supplement to the 1913 Compiled Laws of North Dakota.

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Received from House, 167. First reading and reference, 174. Reported back, 629. Second reading, 678. To House, 708. Signed by President, 884. Returned to House, 908. House Bill No. 31. 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.

Received from House, 370. First reading and reference, 385. Reported back, 629. Second reading, 678. To House, 708. Signed by President, 884. Returned to House, 908.

House Bill No. 32

House Bill No. 32. A Bill for an Act Making an Appropriation Into the Administration Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Received from House, 482.

First reading and reference, 490.

Reported back, 650.

Other action or amendments, 762, 849, 892, 905, 957, 960. Second reading, 771, 958.

To House, 804.

Signed by President, 1007.

Returned to House, 1019.

House Bill No. 33

House Bill No. 33. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Sub-divisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Received from House, 453. First reading and reference, 470. Reported back, 650, 728. Other action or amendments, 719, 827. Second reading, 827. To House, 889. Signed by President, 1010. Returned to House, 1017.

House Bill No. 34

House Bill No. 34. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane, and List of New Taxable Lands.

Received from House, 167. First reading and reference, 174. Reported back, 596. Second reading, 621. To House, 633. Signed by President, 671. Returned to House, 710. House Bill No. 36

House Bill No. 36. 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.

Received from House, 262.

Reported back, 649.

' Other action or amendments, 718, 794, 820, 824, 870, 892, 892, 980.

Second reading, 718, 1002.

To House, 746. Signed by President, 1068.

Returned to House, 1073.

House Bill No. 37

House Bill No. 37. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 11b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Received from House, 482. First reading and reference, 490. Reported back, 801. Second reading, 864. To House, 912. Signed by President, 1009. Returned to House, 1021.

House Bill No. 38

House Bill No. 38. A Bill for an Act Making an Appro-priation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Received from House, 556. First reading and reference, 593. Reported back, 800. Other action 941, 942, 954, 959. Second reading, 862, 954. To House, 929. Signed by President, 1068. Returned to House, 1073.

House Bill No. 39

House Bill No. 39. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913.

Received from House, 177. First reading and reference, 187. Reported back, 596. Second reading, 623. To House, 633. Signed by President, 688. Returned to House, 709.

House Bill No. 41

House Bill No. 41. A Bill for an Act Making an Appro-

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priation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to said Institutions and the Sub-divisions Thereof.

Received from House, 559. First reading and reference, 588. Reported back, 811. Second reading, 861. To House, 923. Signed by President, 1008. Returned to House, 1017.

House Bill No. 42

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 Workmen's Compensation Bureau.

Received from House, 418. First reading and reference, 424. Reported back, 629. Other action or amendments, 734. Second reading, 679. To House, 708. Signed by President, 884. Returned to House, 908.

House Bill No. 43

House Bill No. 43. 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.

Received from House, 521. First reading and reference, 529. Reported back, 727. Other action or amendments, 917. Second reading, 833. To House, 889. Signed by President, 1010. Returned to House, 1017.

House Bill No. 44

House Bill No. 44. A Bill for an Act Making an Appropriation Out of the Liquor Fund in the State Treasury, for the Operation, Maintenance and Enforcement of the State Liquor Control Act.

Received from House, 453. First reading and reference, 470. Reported back, 650. Other action or amendments, 730. Second reading, 751. To House, 808. Signed by President, 962. Returned to House, 969.

House Bill No. 45

House Bill No. 45. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury,

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for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Received from House, 481. First reading and reference, 490. Reported back, 727. Other action or amendments, 810, 827, 958, 968, 1000, 1003, 1013, 1021, 1023. Second reading, 932. To House, 948, 1024. Signed by President, 1068. Returned to House, 1073.

House Bill No. 46

House Bill No. 46. A Bill for an Act Making an Appropriation Out of the Teachers' Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers' Insurance and Retirement Fund.

Received from House, 370. First reading and reference, 385. Reported back, 630. Other action or amendments, 734. Second reading, 679. To House, 708. Signed by President, 884. Returned to House, 908.

House Bill No. 48

House Bill No. 48. A Bill for an Act to Amend and Reenact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159, Session Laws of 1935, Defining Usury.

Received from House, 163. First reading and reference, 164. Reported back, 248. To House, 265.

House Bill No. 51

House Bill No. 51. A Bill for an Act to Repeal Chapter 217 of the Session Laws of the State of North Dakota for 1935, Relating to the State Planning Board.

Received from House, 74. First reading and reference, 77. Reported back, 108. Other action or amendments, 108. Second reading, 114. To House, 117. Signed by President, 132. Returned to House, 133.

House Bill No. 53

House Bill No. 53. A Bill for an Act Amending and Reenacting Section 2, of Chapter 252, of the Session Laws of 1937, Providing for the Allowance of a Portion of the Cost of Planting and Growing Forest Trees as a Bounty Therefor, and Prescribing Duties of the Assessors in Connec-

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tion Therewith; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

Received from House, 86. First reading and reference, 88. Reported back, 118. Other action or amendments, 148. Second reading, 130. To House, 133. Signed by President, 159. Returned to House, 161.

House Bill No. 55

House Bill No. 55. A Bill for an Act to Amend Chapter 269 of the Session Laws of the State of North Dakota for the Year 1935.

Received from House, 135. First reading and reference, 137. Reported back, 632. To House, 681.

House Bill No. 56

House Bill No. 56. A Bill for an Act to Amend and Reenact Sections 4262 and 4263 of the Compiled Laws of 1913 as Relating to Irrigation and Conservation of Water, Authorizing Submission to the Voters of Organized Townships the Question of Irrigation and Conservation of Water by Building Dams, Dugouts, Creating Ponds or Reservoirs on Creeks or Coulees, and Other Improvements in Connection Therewith, and Authorizing a Levy Therefore; Declaring an Emergency.

Received from House, 68. First reading and reference, 71. Reported back, 91. Other action or amendments, 102, 120. Second reading, 102. To House, 106. Signed by President, 124. Returned to House, 125.

House Bill No. 57

House Bill No. 57. A Bill for an Act to Amend and Reenact Section 5235a1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

Received from House, 150. First reading and reference, 158. Reported back, 248. Second reading, 293. To House, 320. Signed by President, 365. Returned to House, 367.

House Bill No. 58

House Bill No. 58. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Abercrombie; and Declaring an Emergency.

Received from House, 453.

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First reading and reference, 470. Reported back, 727. Other action, 827. Second reading, 831. To House, 836. Signed by President, 1011. Returned to House, 1018.

House Bill No. 61

House Bill No. 61. A Bill for an Act Relating to the Application of the Bang's Test in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Sixty-five Per Cent of the Freeholders or Livestock Owners in Such Counties, Fixing Penalty for Violation, and Declaring an Emergency.

Received from House, 107. First reading and reference, 110. Reported back, 152, 606, 662. Other action or amendments, 164, 642, 769. Second reading, 164, 769. To House, 809. Signed by President, 964. Returned to House, 971.

House Bill No. 62

House Bill No. 62. A Bill for an Act to Provide for the Reimbursement of Owners of Cattle Destroyed by Order of the North Dakota Livestock Sanitary Board on Account of Being Affected With Bang's Disease and to Pay Expenses in Connection Therewith, Limiting the Liability of the State of North Dakota, and Declaring an Emergency.

Received from House, 522. First reading and reference, 529. Reported back, 605, 801. Other action or amendments, 605. Second reading, 914. To House, 938. Signed by President, 1009. Returned to House, 1018.

House Bill No. 64

House Bill No. 64. A Bill for an Act to Amend and Reenact Sections 1, 2, 3, 4, 5, 6, 7, and 8, of Chapter 266 of the Session Laws of 1927 as Amended by Chapter 288 of the Session Laws of 1931, the Same Being an Amendment of Section 2202 of the Supplement to the Compiled Laws of 1913, Relating to Giving Notice of Expiration of Period of Redemption on Property Forfeited to the County at Tax Sale, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed; Declaring an Emergency.

Received from House, 143. First reading and reference, 146. Reported back, 169. Second reading, 186. To House, 189. Signed by President, 218. Returned to House, 219.

House Bill No. 65

House Bill No. 65. A Bill for an Act Assenting to the Provisions of the Act of Congress Entitled "AN ACT To Provide That the United States Shall Aid the States in Wildlife-Restoration Projects and for Other Purposes," Approved September 2, 1937.

Received from House, 263. First reading and reference, 359. Reported back, 598. Second reading, 598. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 70

House Bill No. 70. A Bill for an Act Permitting the Purchase of Gasoline to be Used Solely for Agricultural and Industrial Purposes Without the Payment of a Gasoline Tax on the Purchase Price Thereof; Licensing Purchasers and Sellers; Providing Penalties; Repealing Chapter 189 of the Session Laws of North Dakota for 1931.

Received from House, 262.

Reported back, 659.

Other action or amendments, 719, 719, 795.

Second reading, 719.

To House, 746. Signed by President, 873.

Returned to House, 909.

House Bill No. 72

House Bill No. 72. A Bill for an Act to Repeal Section 3080a7 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

Received from House, 121. First reading and reference, 123. Reported back, 148. To House, 149.

House Bill No. 73

House Bill No. 73. A Bill for an Act Validating, Ratifying and Confirming Warrants, and Other Instruments or Obligations Evidencing or Representing Indebtedness, or Evidencing or Representing the Borrowing of Money, or Evidencing or Representing a Charge, Lien or Encumbrance on Specific Revenues of Any County Heretofore Issued and Levies Heretofore Made by Boards of County Commissioners in any County of This State for the Purpose of Financing Poor Relief, Under the Conditions Specified in This Act, and Validating All Proceedings Heretofore Taken by Any Board of County Commissioners in Connection With the Issuance of Emergency Poor Fund Warrants and the Making of Emergency Poor Relief Levies Under the Provisions of Chapter 98, Laws of 1933, as Amended by Chapter 120, Laws of 1935, or Under Any Assumed, Implied or Purported Authority of Said Statutes, and Declaring an Emergency.

Received from House, 177.

First reading and reference, 187. Reported back, 377.

Other action or amendments, 399, 617. Second reading, 600. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 74

House Bill No. 74. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of December, 1938, and January and February, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Received from House, 121. First reading and reference, 123. Reported back, 246. Other action or amendments, 274, 396, 469, 476, 482. Second reading, 274. To House, 290, 354. Signed by President, 497. Returned to House, 531.

House Bill No. 77

House Bill No. 77. A Bill for an Act to Amend and Reenact Section 967 of the Compiled Laws of North Dakota for 1913, Relating to the Duty of the County Auditor to Provide Uniform Poll Books for the Use of the County and Deliver to the Inspector of the Election Precinct.

Received from House, 122. First reading and reference, 124. Reported back, 168. Second reading, 187. To House, 189. Signed by President, 218. Returned to House, 219.

House Bill No. 78

House Bill No. 78. A Bill for an Act Declaring to Be Common Nuisances any Building, Place, or Room, Where Intoxicating Liquors Are Sold, Bartered, or Furnished in Violation of Law, and Prescribing Remedies and Penalties for the Prevention of the Same, and Evidence Admissible.

Received from House, 135. First reading and reference, 137. Reported back, 245. To House, 265.

House Bill No. 79

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota, Declaring an Emergency.

Received from House, 348. First reading and reference, 358. Reported back, 728. Other action or amendments, 864, 886. Second reading, 1029. INDEX

To House, 1030. Signed by President, 1069. Returned to House, 1074.

House Concurrent Resolution No. 80

House Concurrent Resolution No. 80. A Concurrent Resolution Petitioning the Postmaster General at Washington, D. C., to Issue a Stamp Commemorating the 50th Anniversary of the Statehood of the State of North Dakota.

Received from House, 74. First reading and reference, 78. Reported back, 80. Second reading, 86. To House, 89. Signed by President, 106.

House Concurrent Resolution No. 81

House Concurrent Resolution No. 81. A Concurrent Resolution Providing and Designating House and Senate Employes and Naming and Fixing Their Salaries; Legislative Assembly.

Received from House, 230.

(Identical with Concurrent Resolution "A" passed by Senate, pages 74, 81, 82.)

Signed by President, 240.

Returned to House, 243.

House Bill No. 82

House Bill No. 82. A Bill for an Act to Amend and Reenact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle and Non-registered Bulls for Any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Received from House, 291. First reading and reference, 311. Reported back, 660. Second reading, 768. To House, 809. Signed by President, 962. Returned to House, 969.

House Concurrent Resolution No. 83

House Concurrent Resolution No. 83. A Concurrent Resolution Memorializing Congress to Make Appropriation for WPA Purposes and That Congress do Not Enact Any Law Curtailing WPA Activities.

Received from House, 99. First reading and reference, 103. Reported back, 142. Adopted, 157. Signed by President, 175. Returned to House, 176.

House Bill No. 85

House Bill No. 85. A Bill for an Act to Amend and Reenact Section 591 of North Dakota Compiled Laws of 1913, Relative to the Powers of the Board of Railroad Commissioners, and Extending Such Powers to Include Common Carrier Pipe Lines; and Declaring an Emergency.

Received from House, 143. First reading and reference, 147. Reported back, 178. Second reading, 201. To House, 202. Signed by President, 240. Returned to House, 243.

House Bill No. 89

House Bill No. 89. A Bill for an Act Permitting the County Court to Make Decrees of Distribution and Close Estates Without the Payment of Real Estate Taxes Levied Upon Real Property of the Estate.

Received from House, 127. First reading and reference, 130. Reported back, 168. Other action, 168. To House, 176.

House Concurrent Resolution No. 91

House Concurrent Resolution No. 91. Providing for the Amendment of Section 25, of Article 2, of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Received from House, 127. First reading and reference, 128. Reported back, 150, 347. Other action or amendments, 150, 454, 472, 634, 635. Second reading, 382, 634. To House, 403. Signed by President, 875. Returned to House, 907.

House Concurrent Resolution No. 94

House Concurrent Resolution No. 94. A Concurrent Resolution 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 General Relief Emergency for December, 1938, and January and February, 1939.

Received from House, 135. First reading and reference, 138. Reported back, 142. Other action or amendments, 156, 157, 247. To House, 266.

House Bill No. 95

House Bill No. 95. A Bill for an Act to Make Farming Unlawful in the State of North Dakota by Anyone Other Than an Actual Bona Fide Farmer; Defining a "Bona Fide Farmer"; Providing a Penalty and Declaring an Emergency.

Received from House, 292.

First reading and reference, 311.

Reported back, 662.

To House, 708.

House Bill No. 97

House Bill No. 97. A Bill for an Act Making an Appropriation of \$362.00 for the Purpose of Paying the Funeral Expenses of Representative Robert Rotering of Slope County, and Declaring an Emergency.

Received from House, 453. First reading and reference, 470. Reported back, 595. Other action or amendments, 664. Second reading, 619. To House, 632. Signed by President, 687. Returned to House, 710.

House Bill No. 98

House Bill No. 98. A Bill for an Act to Repeal Chapter 28 of the 1925 Session Laws, Being Section 1796a5 of the 1925 Supplement, Making an Appropriation for Civil War Veterans; and Declaring an Emergency.

Received from House, 122. First reading and reference, 124. Reported back, 372. Second reading, 598. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 99

House Bill No. 99. A Bill for an Act to Authorize County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue be Distributed to Taxing Districts; to Repeal Any Acts in Conflict; and to Declare an Emergency.

Received from House, 144. First reading and reference, 147. Reported back, 626. Other action or amendments, 670. Second reading, 680. To House, 708. Signed by President, 874. Returned to House, 909.

House Bill No. 101

House Bill No. 101. A Bill for an Act to Amend and Reenact Chapter 137, Session Laws of 1931, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools and County Commissioners on the No-Party Ballot.

Received from House, 167. First reading and reference, 175. Reported back, 269. Second reading, 292. To House, 320. Signed by President, 365. Returned to House, 367.

House Bill No. 102

House Bill No. 102. A Bill for an Act Forbidding the Sale of Fermented Malt Beverages in the State of North Dakota Which Are Manufactured With Less Than Sixty-six and Twothirds Percent (66 2/3%) of Barley Malt.

Received from House, 230. First reading and reference, 240. Reported back, 244. Second reading, 291. To House, 320. Signed by President, 366. Returned to House, 368.

House Bill No. 103

House Bill No. 103. 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 Therefore.

Received from House, 229. First reading and reference, 240. Reported back, 315. Other action or amendments, 417, 614, 664. Second reading, 614. To House, 633. Signed by President, 688. Returned to House, 710.

House Bill No. 105

House Bill No. 105. A Bill for an Act Creating a Division of Co-operatives in the Department of Agriculture and Labor, and Prescribing Its Functions; Creating and Establishing the Office of Director of Said Division and Prescribing His Duties; and Making an Appropriation Therefor.

Received from House, 556. First reading and reference, 593. Reported back, 660, 728. Other action or amendments, 660, 864, 918. Second reading, 918. To House, 938. Signed by President, 1006. Returned to House, 1020.

House Bill No. 106

House Bill No. 106. A Bill for an Act to Amend and Reenact Section 1 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163al of the Supplement to the 1913 Compiled Laws of the State of North Dakota, Defining a Public Dancing Place.

Received from House, 205.

First reading and reference, 217.

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Reported back, 701. Second reading, 779. To House, 806. Signed by President, 944. Returned to House, 972.

House Bill No. 107

House Bill No. 107. A Bill for an Act to Amend and Reenact Section 17 of Chapter 148 of Session Laws of 1931, Relating to Hunting Upon the Premises of Another.

Received from House, 326. First reading and reference, 342. Reported back, 357. To House, 379.

House Bill No. 110

House Bill No. 110. A Bill for an Act to Amend and Reenact Sub-section 1 of Section 32, Chapter 148, Session Laws of 1931, Relating to Fur-Bearing Animals; and Declaring an Emergency.

Received from House, 271. First reading and reference, 284. Reported back, 357. Second reading, 597. To House, 613. Signed by President, 647. Returned to House, 681.

House Bill No. 111

House Bill No. 111. A Bill for an Act to Amend and Reenact Chapter 3 of the Session Laws of 1933; Defining Unfair Discrimination in the Purchase of Certain Farm Products; Prohibiting Such Discrimination; Providing a Pen-alty Therefor; and Repealing Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 178.

First reading and reference, 188.

Reported back, 245.

Second reading, 292.

To House, 320. Signed by President, 365.

Returned to House, 367.

House Bill No. 113

House Bill No. 113. A Bill for an Act Requiring Boards of County Commissioners or Any Other Public Boards Administering Poor Relief to Give Equal Consideration to Legally Licensed Practitioners of Medicine, Osteopathy, Chiropractic, Dentistry, Optometry, and Any Other Legally Licensed Practitioner, 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.

Received from House, 390. First reading and reference, 406. Reported back, 715. Other action or amendments, 758, 759, 777. Second reading, 777. To House, 803.

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House Concurrent Resolution No. 114

House Concurrent Resolution No. 114. Relating to Employment of Women in Paid Work.

Received from House, 127. First reading and reference, 128. Reported back, 135. Adopted, 136. To House, 141. Signed by President, 159. Returned to House, 161.

House Bill No. 120

House Bill No. 120. A Bill for an Act Establishing Rules and Regulations and Sanitary Conditions for Cream Buying Stations; Sanitary Requirements for Haulers of Cream; Equipment and Care of Equipment; Care of Cream Held in the Station; Care of Cream in Transit; Repealing Acts in Conflict Herewith; Providing Penalties, and Declaring an Emergency.

Received from House, 348. First reading and reference, 358. Reported back, 659. Other action, 850. Second reading, 767. To House, 807. Signed by President, 961. Returned to House, 969.

House Bill No. 121

House Bill No. 121. A Bill for an Act to Amend and Reenact Article 41, Chapter 38, 1913 Compiled Laws, to Regulate the Licensing, Registration, Sale, Inspection, Sampling and Analysis of Commercial Fertilizers, Superphosphates and Fertilizer Materials in the State of North Dakota, and to Repeal All Laws and Parts of Laws in Conflict Therewith. .

Received from House, 250. First reading and reference, 262. Reported back, 660. To House, 708.

House Bill No. 125

House Bill No. 125. A Bill for an Act Amending and Reenacting Sub-section 1 of Chapter 97 of the Session Laws of 1933 and Sub-section 4 of Section 4 of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935; Providing the Loss of Residence Upon Moving to Another State and Declaring an Emergency.

Received from House, 195. First reading and reference, 200. Reported back, 268. Second reading, 313. To House, 320. Signed by President, 365. Returned to House, 367.

House Bill No. 126

House Bill No. 126. A Bill for an Act to Amend and Re-

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enact Section 336, Compiled Laws of 1913, as Amended by Chapter 177, Laws of 1925, Relating to the Leasing and Sale of School and Other Public Lands of the State, and Declaring an Emergency.

Received from House, 178. First reading and reference, 188. Reported back, 469. Second reading, 616. To House 634. Signed by President, 671. Returned to House, 710.

House Bill No. 128

House Bill No. 128. A Bill for an Act to Amend and Reenact 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; Relating to Relief for the Poor; Describing the Establishment of a County Relief Board by the Board of County Commissioners, Constituting the County Commissioners in the Respective Counties to Replace the County Welfare Board; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 390.

First reading and reference, 406.

Reported back, 704.

Other action or amendments, 730, 756.

Second reading, 757.

To House, 809.

House Bill No. 131

House Bill No. 131. A Bill for an Act Appropriating Money for the School of Mines at the University of North Dakota, to Supplement Works Progress Administration and United States Bureau of Mines Funds for the Investigation and Development of the Lignite Resources Within the Bounds of the State of North Dakota.

Received from House, 556. First reading and reference, 588. Reported back, 651. Other action or amendments, 750. Second reading, 752. To House, 808. Signed by President, 962. Returned to House, 969.

House Concurrent Resolution No. 132

House Concurrent Resolution No. 132. A Concurrent Resolution Relating to an Amendment of the Enabling Act of February 22, 1889.

Received from House, 195. First reading and reference, 201. Reported back, 469. Second reading, 616. To House, 634. Signed by President, 688. Returned to House, 710. House Concurrent Resolution No. 135

House Concurrent Resolution No. 135. Relating to Sending Money to Washington for the Use of the Bank of North Dakota.

Received from House, 127. First reading and reference, 128. Other action, 128. Adopted, 128. To House, 133. Signed by President, 159. Returned to House, 161.

House Bill No. 139

House Bill No. 139. A Bill for an Act Making an Appropriation to the State Public Welfare Fund, Established by Section 3 of Chapter 214 of the Session Laws of 1937, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941; to be Expended by the Public Welfare Board in Providing Public Assistance to the Needy Aged, as Provided by Chapter 211 of the Session Laws of 1937 as Amended by the Initiated Act Approved November 8, 1938; Repealing all Acts and Parts of Acts in Conflict Herewith.

Received from House, 492. First reading and reference, 497. Reported back, 704. Other action or amendments, 705. To House, 748.

House Bill No. 142

House Bill No. 142. A Bill for an Act Authorizing the State and Counties to Exchange Tracts of State and County Lands Within Indian Reservations of This State, for Tracts of Lands Owned by the United States Government, Providing for Appraisals, Execution of Conveyances, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Received from House, 196. First reading and reference, 201. Reported back, 353. Second reading, 382. To House, 403. Signed by President, 427. Returned to House, 428.

House Bill No. 143

House Bill No. 143. A Bill for an Act Making a Deficiency Emergency Appropriation for Relief of Destitute and Necessitous Persons of the State of North Dakota for the Months of March, April, May and June, 1939, as Provided by Chapter 214 of the Session Laws of 1937, Declaring an Emergency.

Received from House, 559.

First reading and reference, 588.

Reported back, 800.

Second reading, 863.

To House, 912.

Signed by President, 1013.

Returned to House, 1018.

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House Bill No. 144

House Bill No. 144. A Bill for an Act Providing for the Conduct of Elections on all Municipal Bond Issues; Providing a Separate Ballot Box for the Ballots of Voters Owning Real Property and a Separate Ballot Box for the Ballots of Other Voters; and Requiring a Two-thirds Vote of Both Such Real Property Owners and Such Other Voters, for all Municipal Bond Issues; Repealing all Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 418. First reading and reference, 424. Reported back, 626. To House, 681.

House Bill No. 147

House Bill No. 147. A Bill for an Act Ceding to the United States Exclusive Jurisdiction Over Certain Lands in Burleigh County Which are Parts of the Fort Lincoln Military Reservation.

Received from House, 196. First reading, 201. Reported back, 353. Second reading, 597. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 148

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 1024a1 of the Supplement of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 142 of the Session Laws of North Dakota for 1927, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Received from House, 205. First reading and reference, 217. Reported back, 315. Second reading, 351. To House, 379. Signed by President, 406. Returned to House, 407.

House Bill No. 149

House Bill No. 149. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Slope County, North Dakota, to the Game and Fish Commission of the State of North Dakota, in Co-operation With an Act of Congress to Provide That the United States Shall Aid the State in Wild-Life Restoration Projects, and for Other Purposes to Be Used and Maintained Under the Direction of the Game Fish Commission to Aid in Wild-Life Restoration in the State of North Dakota, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

Received from House, 482.

First reading and reference, 490. Reported back, 704, 728. 1

Other action or amendments, 704, 827. Second reading, 827. To House, 889. Signed by President, 1012. Returned to House, 1019.

House Bill No. 150

House Bill No. 150. A Bill for an Act Making an Appropriation for the State to Pay Seventy-five Per Cent (75%)of All Costs and Expenses of Maintaining and Providing for Patients at the State Hospital for the Insane, Patients at the Feeble-minded Institution, and Patients at the Tuberculosis Sanatorium, for the Biennium Beginning July 1, 1939, and Ending June 30, 1941, Seventy-five Per Cent (75%)of Such Costs of Caring for Such Patients to Be Charged to the State of North Dakota, and the Remaining Twenty-five Per Cent (25%) to Be Charged to the Counties, Now Required by Law to so Provide for Such Patients; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 553. First reading and reference, 590. Reported back, 654. Other action or amendments, 762, 788, 789. Second reading, 772, 789. To House, 803.

House Bill No. 151

House Bill No. 151. A Bill for an Act Providing for the Transfer of Certain School Lands Situated in the Lewis and Clark Irrigation District of McKenzie County, North Dakota, to the State of North Dakota to be Used in Connection With the Experiment Station, Established at Williston, North Dakota, Pursuant to the Provision of Section 1629 of the Compiled Laws of 1913, for the Purpose of Establishing, Maintaining and Operating Thereon an Irrigation Demonstration and Experiment Farm; Providing for an Appropriation to Reimburse the Permanent School Fund of the State, Providing for an Exchange of Such Lands for Other Lands More Suitably Situated; and Declaring an Emergency.

Received from House, 522. First reading and reference, 529. Reported back, 661, 729. Other action or amendments, 661, 827, 831. Second reading, 830. To House, 835. Signed by President, 1011. Returned to House, 1020.

House Bill No. 152

House Bill No. 152. A Bill for an Act Amending and Reenacting Section 4446 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 151 of the Session Laws of 1923 Relating to the Adoption of Minor Children.

Received from House, 205.

First reading and reference, 218.

Reported back, 376.

To House, 404.

House Bill No. 153

House Bill No. 153. A Bill for an Act Amending and Reenacting Chapter 123 of the Session Laws of 1931, Authorizing the Juvenile Court to Commit to the Institution for the Feeble Minded any Dependent, Neglected or Delinquent Child Who is Feeble Minded or Whose Mental Condition is Found a Subject for Inquiry; and Providing for Certificate of Inability to Pay.

Received from House, 205. First reading and reference, 218. Reported back, 268. Second reading, 314. To House, 320. Signed by President, 365. Returned to House, 367.

House Bill No. 157

House Bill No. 157. A Bill for an Act Making an Appropriation for the Maintenance and Operation of the North Dakota State Criminal Identification Bureau for the Period From January 1st, 1939 to June 30th, 1939, and Declaring an Emergency.

Received from House, 390. First reading and reference, 405. Reported back, 662. Other action or amendments, 766, 850. Second reading, 766. To House, 807. Signed by President, 967. Returned to House, 973.

House Bill No. 158

House Bill No. 158. A Bill for an Act to Amend and Reenact Chapter 30 of the Session Laws of North Dakota for the Year 1937; Making an Appropriation of One Million Dollars to the State Hail Insurance Department From the State Equalization Fund; Repealing all Acts or Parts of Acts in Conflict Herewith.

Received from House, 271. First reading and reference, 284. Reported back, 660, 713. Other action or amendments, 660, 786, 903, 1084, 1093, 1094. Second reading, 1023, 1094. To House, 1029. Signed by President, 1098. Returned to House, 1099.

House Bill No. 160

House Bill No. 160. 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.

Received from House, 439. First reading and reference, 444. Reported back, 801. Second reading, 863. To House, 912. Signed by President, 1013. Returned to House, 1018.

House Bill No. 163

House Bill No. 163. A Bill for an Act Making an Appropriation to the State Historical Society for the Purchase of Materials and Supplies to be Used in the Reconstruction of Fort Union and Fort Buford.

Received from House, 453. First reading and reference, 470. Reported back, 729. Other action, 827. Second reading, 832. To House, 836. Signed by President, 1009. Returned to House, 1017.

House Bill No. 168

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 4656 of the Compiled Laws of 1913, Relative to the Maintenance of Railroad Stations and Station Agents.

Received from House, 326. First reading and reference, 342. Reported back, 661. Other action or amendments, 760, 850. Second reading, 761. To House, 806. Signed by President, 1069. Returned to House, 1073.

House Bill No. 171

House Bill No. 171. A Bill for an Act Providing for the Testing of Gasoline, Kerosene and Other Petroleum Products Used for Fuel and Power Purposes and Purchased for Resale; Repealing All Acts and Parts of Acts in Conflict Herewith; Providing a Penalty; Declaring an Emergency.

Received from House, 262. Reported back, 394. Other action or amendments, 623, 627, 631, 632. Second reading, 613, 639. To House, 683. Signed by President, 876. Returned to House, 907.

House Bill No. 172

House Bill No. 172. A Bill for an Act to Amend and Reenact Sections 5, 6, 7, 8 and 9 of Chapter 91 of the Session Laws of 1935, Relating to an Act Creating the State Athletic Commission, Prescribing Its Powers and Duties, Providing Penalties for Violations and Repealing All Acts or Parts of Acts in Conflict Therewith; and Providing an Appropriation Therefor.

Received from House, 271.

First reading and reference, 284.

Reported back, 372, 649.

Other action or amendments, 600, 695, 795.

Second reading, 695. To House, 746. Signed by President, 873. Returned to House, 909.

House Bill No. 174

House Bill No. 174. A Bill for an Act to Amend and Reenact Section 686 of the Compiled Laws of North Dakota for 1913, as Amended by Section 686 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being an Act Providing for Petitioning the Governor to Remove Certain Public Officials; Providing the Procedure Therefor; Requiring a Petition by Qualified Electors, and Prescribing the Procedure Thereon; Further Providing for the Attorney General and Appointed Attorneys to Prosecute Such Proceedings.

Received from House, 250. First reading and reference, 262. Reported back, 377, 811. Other action or amendments, 600, 917, 1029, 1035, 1052. Second reading, 1052. To House, 1055. Signed by President, 1069. Returned to House, 1074.

House Bill No. 175

House Bill No. 175. A Bill for an Act to Provide Revenue by Means of a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Authorizing the State Treasurer to Prescribe Rules and Regulations for the Collection Thereof; Prescribing the Method of Payment of the Tax to, and Collections by, the State Treasurer, and Providing Penalty.

Received from House, 349. First reading and reference, 359. Reported back, 655. Other action or amendments, 764, 851, 893, 905, 939, 941, 943. Second reading, 764, 939. To House, 807. Signed by the President, 1007. Returned to House, 1020.

House Bill No. 176

House Bill No. 176. A Bill for an Act to Amend and Reenact Section 34, Chapter 94, Session Laws of 1931. Pertaining to Examination of Building and Loan Associations.

Received from House, 370. First reading and reference, 385. Reported back, 690. Other action or amendments, 779. To House, 805. Signed by President, 966.

Returned to House, 972.

House Concurrent Resolution No. 179

House Concurrent Resolution No. 179. Authorizing and Directing the Governor, Tax Commissioner and Attorney General to Ascertain What Provision Has Been Made by the Federal Government for Making Payments in Lieu of Taxes on Lands Acquired in This State by Various Departments, Bureaus and Agencies of the Government and Authorizing and Directing the Governor, Attorney General and Tax Commissioner to File With the Secretary of State Proposals or Commitments Submitted by Such Departments, Bureaus or Agencies With Reference Thereto.

Received from House, 389. First reading and reference, 405. Reported back, 702. Second reading, 781. To House, 805. Signed by President, 965. Returned to House, 968.

House Bill No. 181

House Bill No. 181. A Bill for an Act to Repeal Section 2173 of the Compiled Laws of North Dakota for 1913; Being an Act Authorizing the County Commissioners to Contract With the Sheriff for the Collection of Delinquent Personal Property Taxes for Additional Compensation.

Received from House, 292. First reading and reference, 310. Reported back, 701. To House, 748.

House Bill No. 184

House Bill No. 184. A Bill for an Act Relating to Vital Statistics Records of Illegitimate Children, and to Provide for the Making of a New Certificate for a Child Legitimatized by Marriage of Parents and for a Child Legitimatized by Adoption.

Received from House, 370. First reading and reference, 385. Reported back, 436. Second reading, 614. To House, 633. Signed by President, 670. Returned to House, 710.

House Bill No. 185

House Bill No. 185. A Bill for an Act Relating to the Issuance of Tax Sale Certificates; the Payment of Subsequent Taxes; the Issuance of Subsequent Tax Sale Certificates; Amending and Re-enacting Section 2192, as Amended by Chapter 298, Session Laws of 1931, of the Supplement to the Compiled Laws of 1913; and to Make the Records of the County Auditor Evidence of the Rights of the County; and Dispensing With the Necessity of Issuing Tax Sale Certificates and Subsequent Tax Sale Certificates to the Counties; Declaring an Emergency.

Received from House, 349. First reading and reference, 358. Reported back, 632. Other action or amendments, 919. Second reading, 686. To House, 707. Signed by President, 883. Returned to House, 908.

House Bill No. 186

House Bill No. 186. A Bill for an Act Providing for the Resale of Lands Acquired by the State on Foreclosure of Mortgages Given to Secure Loans of Permanent School Funds, or by Deed Given in Lieu of Foreclosure; Giving a Preference to Mortgagors Whose Lands Are Resold or to Their Heirs; Providing for the Terms and Conditions of Resale; and Declaring an Emergency.

Received from House, 349. First reading and reference, 358. Reported back, 609. Other action or amendments, 626, 670. Second reading, 684. To House, 708. Signed by President, 883. Returned to House, 908.

House Bill No. 193

House Bill No. 193. A Bill for an Act to Amend and Reenact Section 869 of the Compiled Laws of North Dakota for the Year 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 230. First reading and reference, 240. Reported back, 347. Other action or amendments, 368, 369, 454. Second reading, 369. To House, 403. Signed by President, 497. Returned to House, 531.

House Bill No. 194

House Bill No. 194. 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, 1938. Permitting Payments in Ten Installments. Providing Manner of Payments. Suspending Operation of Law and Collection of Delinquent Taxes. Permitting Suit by Civil Action and Declaring an Emergency.

Received from House, 250. First reading, 262. Reported back, 656. Other action or amendments, 765, 854, 893, 906, 953. Second reading, 765, 953. To House, 806. Signed by President, 1006. Returned to House, 1020.

House Bill No. 195

House Bill No. 195. A Bill for an Act Providing that the State Board of Higher Education Created and Established by an Initiated Act Submitted to the Electors and Approved June 28, A. D. 1933, Shall be and Hereby is Vested With all the Rights, Powers, Duties, Obligations and Perogatives Heretofore Vested in the Board of Administration, as to Vocational Education, Vocational Rehabilitation, and of the Extension Division of the North Dakota Agricultural College.

Received from House, 554. First reading and reference, 592. Reported back, 650. Second reading, 759. To House, 808. Signed by President, 961. Returned to House, 969.

House Bill No. 198

House Bill No. 198. A Bill for an Act Imposing a Tax Upon Theatre and Entertainment Tickets to be Applied to the Old Age Assistance Fund; to Provide for the Collection of Such Tax; Requiring Reports; Naming Exemptions; Establishing a Lien for the Payment of Such Tax; Fixing Fines and Penalties for Violations; Repealing Laws in Conflict Herewith and Declaring an Emergency.

Received from House, 390. First reading and reference, 405. Reported back, 749. Other action or amendments, 750. To House, 810.

House Bill No. 204

House Bill No. 204. A Bill for an Act to Provide for Better Control and Regulation of the Sale of Alcohol, Alcoholic Beverages and Intoxicating Liquors Within the State of North Dakota; to License the Importation Thereof; to Provide for the Issuance and Cancellation of Importers' Licenses and Set the Fees Therefor; Provide for the Disposition of Said Fees; to Provide Penalties and Declaring an Emergency.

Received from House, 250. First reading and reference, 261. Reported back, 434. To House, 459.

House Bill No. 210

House Bill No. 210. A Bill for an Act to Amend and Reenact Section 14, of Chapter 94, Session Laws of 1931, Providing for Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, and Banks.

Received from House, 438. First reading and reference, 445. Reported back, 714. Second reading, 786. To House, 806. Signed by President, 965. Returned to House, 972.

House Bill No. 211

House Bill No. 211. A Bill for an Act to Amend and Reenact Section 45 of Chapter 94 of the Session Laws of 1931 Relating to Building and Loan Associations and Making Pro-

vision for Appointment of Federal Savings and Loan Insurance Corporation as Receiver or Co-receiver of Associations in Liquidation Which Are Insured by Said Insurance Corporation.

Received from House, 370. First reading and reference, 384. Reported back, 690. Second reading, 778. To House, 806. Signed by President, 963. Returned to House, 969.

House Bill No. 216

House Bill No. 216. A Bill for an Act to Amend and Reenact Section 8175 of the Compiled Laws of the State of North Dakota for 1913 Relating to Actions Against the State of North Dakota.

Received from House, 370. First reading and reference, 384. Reported back, 631. Second reading, 680. To House, 708. Signed by President, 883. Returned to House, 909.

House Bill No. 223

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 4847 of the Civil Code of the Compiled Laws of North Dakota for 1913.

Received from House, 371. First reading and reference, 384. Reported back, 424. Other action or amendments, 664. Second reading, 610. To House, 633. Signed by President, 687. Returned to House, 710.

House Concurrent Resolution No. 224

House Concurrent Resolution No. 224. A Concurrent Resolution Making the Memorial Hall of the State Capitol Building Available to the Members of the "Third House" for Various Entertainments.

Received from House, 205. First reading and reference, 217. Adopted, 217. To House, 229. Signed by President Pro Tem, 263. Returned to House, 265.

House Concurrent Resolution No. 225

House Concurrent Resolution No. 225. Memorializing Congress to Pass \$4,000,000.00 Appropriation Bill to Be Allotted Several U. S. Indian Reservations.

Received from House, 390.

First reading and reference, 405.

Reported back, 650.

Second reading, 721. To House, 749. Signed by President, 874. Returned to House, 909.

House Concurrent Resolution No. 229

House Concurrent Resolution No. 229. A Concurrent Resolution Extending an Invitation to the King and Queen of the United Kingdom of Great Britain and Ireland to Visit the International Peace Gardens.

Received from House, 205. First reading, 217. Adopted, 217. To House, 229. Signed by President, Pro Tem, 263. Returned to House, 265.

House Concurrent Resolution No. 230

House Concurrent Resolution No. 230. A Concurrent Resolution Extending an Invitation to the Crown Prince and Crown Princess of Norway to Visit the International Peace Gardens.

Received from House, 205. First reading, 217. Adopted, 217. To House, 229. Signed by President, Pro Tem, 264. Returned to House, 265.

House Concurrent Resolution No. 231

House Concurrent Resolution No. 231. A Concurrent Resolution Extending an Invitation to the President of the United States to Visit the International Peace Gardens.

Received from House, 205. First reading, 217. Adopted, 217. To House, 229. Signed by President, Pro Tem, 264. Returned to House, 265.

House Bill No. 234

House Bill No. 234. A Bill for an Act to Amend and Reenact Section 3802, Compiled Laws of North Dakota for the Year 1913, Relating to Salaries Under the Commission Form of Government.

Received from House, 370. First reading and reference, 384. Reported back, 750. Second reading, 750. To House, 810.

House Bill No. 238

House Bill No. 238. A Bill for an Act Prohibiting Possession, Purchase, Sale and Dispensing of Alcohol and Alcoholic Beverages and Beer, Outside the Limits of Any City or Village in the State of North Dakota, Prescribing A Penalty for the Violation Thereof.

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Received from House, 586. First reading and reference, 594. Reported back, 756. To House, 810.

House Concurrent Resolution No. 240

House Concurrent Resolution No. 240. A Resolution Requesting Congress to Enact Legislation to Secure Lost AAA Payments for Mountrail County Farmers Misinformed on Compliance Regulations.

Received from House, 292. First reading and reference, 311. Reported back, 606. Second reading, 642. To House, 683. Signed by President, 876. Returned to House, 907.

House Bill No. 242

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 9873 of the Compiled Laws of the State of North Dakota for the Year 1913, to Define the Crime of Burglary in the Third Degree.

Received from House, 349. First reading and reference, 358. Reported back, 376. Second reading, 599. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 243

House Bill No. 243. A Bill for an Act to Amend and Reenact Section 9878 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Unlawful Entry.

Received from House, 349. First reading and reference, 358. Reported back, 376. Other action or amendments, 408. To House, 613. Signed by President, 647. Returned to House, 682.

House Bill No. 245

House Bill No. 245. A Bill for an Act to Repeal Chapter 165 of the Session Laws of the State of North Dakota for the Year 1937, Relating to the Operation of Motion Picture Theatres, and Declaring an Emergency.

Received from House, 299. First reading and reference, 310. Reported back, 315. Second reading, 328. To House, 330. Signed by President, 428.

Returned to House, 428.

House Bill No. 246

House Bill No. 246. A Bill for an Act to Amend and Reenact Subdivision (5) of Section 4059 of the Compiled Laws of 1913, as Amended by Chapter 180 of the Session Laws of 1929, Relating to Elections and Powers of Park Commissioners; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 370. First reading and reference, 384. Reported back, 750. To House, 810.

House Concurrent Resolution No. 248

House Concurrent Resolution No. 248. A Concurrent Resolution Memorializing Congress to Enact the Frazier-Lemke Refinancing Act.

Received from House, 292. First reading and reference, 311. Reported back, 661. Second reading, 721. To House, 749. Signed by President, 873. Returned to House, 908.

House Bill No. 249

House Bill No. 249. A Bill for 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 and the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 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.

Received from House, 522. First reading and reference, 529. Reported back, 816. Other action or amendments, 816, 888. To House, 912.

House Bill No. 250

House Bill No. 250. A Bill for an Act Authorizing the Public Welfare Board of North Dakota, With the Approval of the Attorney General, to Enter Into Reciprocal Agreements With Other States Having Like Authority Relative to Residence, Care and Transportation of Indigent Persons; and Declaring an Emergency.

Received from House, 390. First reading and reference, 405. Reported back, 703. Second reading, 784. To House, 806. Signed by President, 964. Returned to House, 971.

House Bill No. 253

House Bill No. 253. A Bill for an Act to Amend and Reenact Section 1 of Chapter 174 of the Session Laws of North

Dakota for the Year 1937, Relating to Pensions for Policemen and Dependents in Cities Now or Hereafter Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

Received from House, 439. First reading and reference, 445. Reported back, 729. Other action or amendments, 758, 758. Second reading, 758. To House, 807. Signed by President, 964. Returned to House, 971.

House Bill No. 257

House Bill No. 257. A Bill for an Act to Amend and Reenact Chapter 106 of the 1933 Session Laws, Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Sale or Gift Thereof; Providing a Penalty for Violation; and Declaring an Emergency.

Received from House 522. First reading and reference, 530. Reported back, 659. Second reading, 766. To House, 809. Signed by President, 966. Returned to House, 972.

House Bill No. 259

House Bill No. 259. A Bill for an Act Amending Section 7316 of the Compiled Laws of 1913, Relating to the Enforcement of Penalty; Forfeiture and Punishment of Violators of a Statute That Has Been Repealed; and Declaring an Emergency.

Received from House, 439. First reading and reference, 445. Reported back, 702. Second reading, 782. To House, 805. Signed by President, 967. Returned to House, 973.

House Bill No. 260

House Bill No. 260. A Bill for an Act to Create a North Dakota Poultry Improvement Board; to Define Its Powers and Duties; to Provide for Licenses and Fees for Poultry Processers, Packers, Hatching, Baby Chick Jobbers, Record of Performance Breeders and Poultry Feed Manufacturers and Wholesalers, and for the Disposition of the Proceeds Thereof; to Require the Filing of Reports by Carriers and Shippers of Poultry and Poultry Products, and Fixing Penalties for the Violation Hereof.

Received from House, 482. First reading and reference, 491. Reported back, 627. Second reading, 640. To House, 683. Signed by President, 875. Returned to House, 907.

House Bill No. 263

House Bill No. 263. A Bill for an Act to Amend and Reenact Sections 10169a4, and 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, of the North Dakota Beverage Inspection Act, to Include Alcoholic Beverages, Defining the Beverages Coming Within the Provisions of That Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

Received from House, 439. First reading and reference, 445. Reported back, 701. Other action, 850. Second reading, 780. To House, 805. Signed by President, 966. Returned to House, 972.

House Bill No. 265

House Bill No. 265. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and the North Dakota Durum Wheat Show at Langdon, N. Dak.; Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

Received from House, 523. First reading and reference, 530. Reported back, 605, 801. Other action or amendments, 605. To House, 836.

House Bill No. 267

House Bill No. 267. A Bill for an Act Providing for Serological Test, for Syphilis of All Persons Applying for Marriage Licenses; Prohibiting Marriage of Any Person Afflicted With Syphilis in Communicable Form; Providing for Proofs of Serological Test to Be Required by and Submitted to County Judges Before the Issuance of a Marriage License; Repealing All Acts and Parts of Acts Inconsistent With or in Conflict Herewith; Making an Appropriation for the State Health Department to Enable it to Comply With the Provisions Hereof.

Received from House, 481. First reading and reference, 491. Reported back, 668, 727. Other action or amendments, 668, 773, 915, 918, 967, 968, 977, 982, 995. Second reading, 773, 1000. To House, 838. Signed by President, 1069. Returned to House, 1073.

House Bill No. 270

House Bill No. 270. A Bill for an Act to Create a State Board of Photographic Examiners and to Regulate the Practice of Professional Photograpy and to Provide for Licensing and Registration of Persons Engaged in the Practice of

Professional Photography and to Protect the Public From Fraud Practiced by Unscrupulous and Irresponsible Persons Through Misrepresentation and Other Unconscionable Artifices and the Obtaining of the Possession of Property Without Returning Value Therefor and for the Protection of the Public Health and Safety; Providing for the Enforcement of the Provisions of This Act and for the Punishment for Violation Thereof.

Received from House, 453. First reading and reference, 470. Reported back, 650. Second reading, 760. To House, 808. Signed by President, 964. Returned to House, 971.

House Bill No. 274

House Bill No. 274. 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, off Waters, and Water Sheds, 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, Maintenance and Financing 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; Authorizing the Commission to Obligate or Pledge Monies Available in Its Operating or Construction Fund to Insure the Payment of Twenty Per Cent of the Par Value of Revenue 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; Validating Proceedings and Acts of the State Water Conservation Commission Done and Performed Under the Provisions of Chapter 255 of the Session Laws of 1937; Repealing Inconsistent Acts, and Declaring an Emergency.

Received from House, 555.

First reading and reference, 592.

Reported back, 653.

Other action or amendments, 719, 775, 915, 917, 920, 975, 978, 981.

Second reading, 776, 998.

To House, 836.

Signed by President, 1070. Returned to House, 1072.

House Bill No. 277

House Bill No. 277. A Bill for an Act to Amend Section 10145b1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Defining Intoxicating Liquors, and Excepting Therefrom Certain Fruit Juices, Wine, Beer, Ale and Porter Containing Less Than One-Half of 1 Percent of Alcohol by Volume; Repealing All Acts in Conflict Therewith.

Received from House, 580.

First reading and reference, 594.

Reported back, 654.

Other action or amendments, 763, 848, 865, 902, 905, 977, 978, 1060, 1365, H. J.

Second reading, 763.

To House, 807.

House Bill No. 279

House Bill No. 279. A Bill for an Act to Amend and Reenact Sub-divisions (a) and Section 19 of Chapter 179 of the 1927 Session Laws as Amended by Section 6, of Chapter 160, of the 1933 Session Laws; Providing for the Registration of Motor Vehicles, Registration Fees for Motor Vehicles Except Trucks and Busses, and When All Motor Vehicle Fees Shall Become Delinquent, and Penalties Therefor; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from House, 554.

First reading and reference, 591.

Reported back, 797.

Other action or amendments, 903, 941, 942, 951, 979. Second reading, 903, 1002. To House, 931, 951. Signed by President, 1012. Returned to House, 1019.

House Bill No. 285

House Bill No. 285. A Bill for an Act to Amend Chapter 138 Session Laws of 1937, State of North Dakota, Relating to Secondary and Feeder Roads by Adding an Additional Section Designated as Section 3, Relating to Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Highways in Such System; and Declaring an Emergency.

Received from House, 556.

First reading and reference, 589.

Reported back, 799.

Other action or amendments, 910, 951, 967, 993, 1014, 1016.

Second reading, 910, 993.

To House, 939, 995.

Signed by President, 1070.

Returned to House, 1074.

House Bill No. 287

House Bill No. 287. A Bill for an Act Defining, Licensing, Regulating the Practice of Naturopathy in the State of North Dakota; Creating a Board of Naturopathic Examiners to Examine and License Persons to Practice Naturopathy; Providing for the Enforcement of the Provisions of This Act and Prescribing Penalties for the Violation Thereof.

Received from House, 523. First reading and reference, 530. Reported back, 714. Other action, 795. To House, 748.

House Bill No. 290

House Bill No. 290. A Bill for an Act to Amend and Reenact Section 8 of Chapter 145 of the Session Laws of North Dakota, for the Year 1937, Relating to All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Received from House, 454. First reading and reference, 471. Reported back, 713. Other action, 850. Second reading, 785. To House, 804. Signed by President, 966. Returned to House, 972.

House Bill No. 291

House Bill No. 291. A Bill For an Act Declaring that Revenue Bonds Legally and Validly Issued by the State Water Conservation Commission Are Legal and Valid Investments by Banks, Trust Companies, Insurance Companies, Investment Companies, Building and Loan Associations and of Similar Financial Institutions; and Declaring an Emergency. CXXII

Received from House, 552. First reading and reference, 589. Reported back, 653. Second reading, 762. To House, 809. Signed by President, 967. Returned to House, 971.

House Bill No. 293

House Bill No. 293. A Bill for an Act to Amend and Reenact Section 8235 of the Compiled Laws of 1913, Relating to Waters Subject to Beneficial Appropriation and Declaring an Emergency.

Received from House, 438. First reading and reference, 444. Reported back, 606. Second reading, 643. To House, 682. Signed by President, 876. Returned to House, 907.

House Bill No. 296

House Bill No. 296. A Bill for an Act to Amend Subdivision (b) of Section 25 of Chapter 179 of the Session Laws of 1927, as Amended by Chapter 186 of the Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, as Amended by Chapter 180 of the Session Laws of 1933, as Amended by Chapter 180 of the Session Laws of 1935, by Adding Thereto a Proviso Increasing the Registration Fees for Trucks Propelled by Diesel Engines by Thirty-five Per Cent Over the Registration Fees for Trucks Not so Propelled; and Declaring an Emergency.

Received from House, 556. First reading and reference, 588. Reported back, 798. To House, 826.

House Bill No. 297

House Bill No. 297. A Bill for an Act to Require That for Any Motor Vehicle, or Any Combination of Vehicles Operated as One Unit, Propelled by a Diesel Engine, the Registration Fee Shall Be Seventy-five Per Cent More Than for Any Motor Vehicle or Any Combination of Vehicles Operated as One Unit Not So Propelled; and Declaring an Emergency.

Received from House, 553. First reading and reference, 591. Reported back, 799. To House, 826.

House Bill No. 300

House Bill No. 300. A Bill for an Act to Amend and Reenact Section 14, Chapter 309 of the Laws of North Dakota, 1931, Providing for the Furnishing Without Charge of Copies of Public Records; Repealing All Acts in Conflict and Declaring an Emergency.

Received from House, 439. First reading and reference, 445. Reported back, 606. Second reading, 642. To House, 683. Signed by President, 876. Returned to House, 907.

House Bill No. 301

House Bill No. 301. A Bill for an Act to Make Uniform the Law on Criminal Indictment and Information; Defining Terms Included in This Act; Providing What an Indictment or Information Must or Need Not Contain; Setting Forth Forms Thereof; Providing for Bills of Particular; in General Covering and Interpreting the Laws Pertaining to Indictments and Informations, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 521. First reading and reference, 528. Reported back, 610. Second reading, 648, 668. To House, 707. Signed by President, 883. Returned to House, 909.

House Bill No. 302

House Bill No. 302. A Bill for an Act to Amend Sections 1, 3 and 15 of Chapter 164, of the Session Laws of North Dakota for the Year 1933, and Acts Amendatory Thereof and Supplementary Thereto; Defining and Classifying Agriculture Carriers and Providing for Their Licensing, Regulations and Exemption; and Providing for the Enforcement of the Provisions of This Act, and for the Penalties for the Violation Thereof; and Declaring an Emergency.

Received from House, 553. First reading and reference, 590. Reported back, 799. Other action or amendments, 886, 941. Second reading, 886. To House, 931. Signed by President, 1006. Returned to House, 1020.

House Bill No. 306

House Bill No. 306. A Bill for an Act to Amend and Reenact Section 2 of Chapter 5 of the 1937 Session Laws. Received from House, 560. First reading and reference, 589. Reported back, 701, 716. Second reading, 825. To House, 835. Signed by President, 1011. Returned to House, 1019.

House Bill No. 307

House Bill No. 307. A Bill for an Act to Amend and Reenact Chapter 167 of the 1935 Session Laws, Providing for the Procuring of Coal Mine Licenses From the State Coal Mine Inspector, the Payment of Moneys Collected Into the General Treasury of the State of North Dakota, and Appropriating Therefrom Moneys to be Paid Into the Coal Mining Safety Fund, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and the Reporting Thereof to the State Coal Mine Inspector, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court From Such Order of Revocation, Providing a Penalty for Failure to Comply With the Law.

Received from House, 521. First reading and reference, 528. Reported back, 714. Other action, 827, 829. Second reading, 829. To House, 835. Signed by President, 1010. Returned to House, 1019.

House Bill No. 309

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 8 of Chapter 135 of the 1935 Session Laws of the State of North Dakota, Relating to the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees, Such Amendment Requiring that in Selecting Proxies, the Same Shall Be Taken From the Precinct, in Which the Committeemen or Committeewomen Were Elected; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 556. First reading and reference, 593. Reported back, 626. Other action or amendments, 670, 685, 758. Second reading, 685. To House, 712. Signed by President, 884. Returned to House, 908.

House Bill No. 310

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 2790a7 and 2790a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota; Relating to Duties of Bee Inspector and of Owners; Providing for Inspection Fees and the Collection Thereof, and Repealing All Acts in Conflict Herewith.

Received from House, 554. First reading and reference, 591. Reported back, 661. Other action or amendments, 762, 931, 948. Second reading, 762. To House, 809. Signed by President, 962. Returned to House, 969.

House Bill No. 311

House Bill No. 311. A Bill for an Act Relating to the Organization of Irrigation Districts, the Powers and Functions

of Such Districts, the Establishment and Construction of Irrigation Works Therein and Methods and Procedure for Financing the Cost of Purchasing or Constructing Such Irrigation Works; Amending Section 8247a1 of the Supplement to the Compiled Laws of 1913, as Amended and Reenacted by Section 1 of Chapter 142 of the Session Laws of 1933; Section 8247a2 of the Supplement to the Compiled Laws of 1913; Section 8247a3 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 142 of the Session Laws of 1933; Sections 8247a4, 8247a5, 8247a6, 8247a7, 8247a8, and 8247a9 of the Supplement to the Compiled Laws of 1913; Section 8247a10 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 3 of Chapter 142 of the Session Laws of 1933 and Amending Sections 8247a11, 8247a12, 8247a14, 8247a15, 8247a16, 8247a17, 8247a13, 8247a19, 8247a18, 8247a20, 8247a21a, 8247a23, 8247a24, 8247a51, 8247a26, 8247a47, 8247a52, 8247a53, 8247a56, 8247a60, 8247a61, 8247a63, 8247a64, 8247a57, 8247a59, 8247a65, and 8247a66 of the Supplement to the Compiled Laws of 1913; Validating Organization and Acts of Certain Irrigation Districts; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

Received from House, 552.

First reading and reference, 590.

Reported back, 606.

Other action or amendments, 644, 734, 746, 751, 817, 823, 849.

Second reading, 648, 669.

To House, 708.

Signed by President, 963.

Returned to House, 970.

House Bill No. 312

House Bill No. 312. A Bill for an Act to Amend and Reenact Section 2373 of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Appointment and Election of Officers Under the Provisions of the Military Code; Declaring an Emergency.

Received from House, 438. First reading and reference, 444. Reported back, 650. Other action or amendments, 720, 750. To House, 809.

House Bill No. 320

House Bill No. 320. A Bill for an Act to Amend and Reenact Section 2 of Chapter 156 of the Session Laws of 1935, Relating to Hail Tax Refund, and Declaring an Emergency.

Received from House, 454.

First reading and reference, 470.

Reported back, 660.

Second reading, 768.

To House, 809.

Signed by President, 966.

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Returned to House, 972.

House Bill No. 321

House Bill No. 321. A Bill for an Act to Amend and Reenact Chapter 5-a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota by Inserting and Adding Thereto Section 10500a6a, Providing for Joint and Several Liability by More Than One Possible Father and Declaring an Emergency.

Received from House, 522. First reading and reference, 528. Reported back, 703. To House, 748.

House Bill No. 327

House Bill No. 327. A Bill for an Act Prescribing the Qualifications of County Coroner.

Received from House, 556. First reading and reference, 589. Reported back, 702. To House, 748.

House Bill No. 328

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 6 of That Certain Initiated Measure Adopted by the Electors of the State of North Dakota on September 22, 1933, Relating to the Manufacture, Sale and Distribution of Beer, as Amended by Chapter 98 of the Session Laws of North Dakota for the Year 1935, and Chapter 98 of the Session Laws of North Dakota for the Year 1937; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 438. First reading and reference, 444. Reported back, 605. Second reading, 641. To House, 683. Signed by President, 875. Returned to House, 907.

House Bill No. 331

House Bill No. 331. A Bill for an Act Imposing a Tax Upon Malt Beverages Not Taxed Under Initiated Beer Law of 1933, Providing for Reports by the Vendor, Prescribing Penalties and Providing That the Proceeds of Such Tax Shall Be Paid Into the General Fund of the State, and Declaring an Emergency.

Received from House, 553. First reading and reference, 591. Reported back, 750. To House, 810.

House Bill No. 332

House Bill No. 332. A Bill for an Act to Extend the Powers of Credit Unions Organized Under Chapter 108 of the 1935 Session Laws, as Amended by Chapter 113 and 114 of the 1937 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.

Received from House, 522. First reading and reference, 528. Reported back, 727. Second reading, 885. To House, 912. Signed by President, 1009. Returned to House, 1018.

House Bill No. 337

House Bill No. 337. A Bill for an Act Amending and Reenacting Section 4444 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Consent of Parents or Guardians of Children Involved in Adoption Proceedings, Relating to the Giving of Consent Therein by the State Board of Administration or its Successor, Providing Service of Notice of Such Adoption Proceedings Upon Such Parents, Guardians and/or Said Board of Administration, or its Successor, and Providing for Exceptions Thereto; Providing for Method by Which Decrees of Adoption May Be Attacked and Time When Such Proceedings Therefor May Be Commenced; Specifying the Proceedings May Be Changed; and Declaring That an Emergency Exists.

Received from House, 454. First reading and reference, 471 Reported back, 610. Other action or amendments, 644. Second reading, 644. To House, 684. Signed by President, 877. Returned to House, 906.

House Bill No. 341

House Bill No. 341. A Bill for an Act Assessing and Levying From April 1, 1939, to July 1, 1941, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One Cent Per Gallon of Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them, Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes, Making All Provisions of Initiated Measures Approved June 30, 1926 and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and for Costs of Administration and Collection, Applicable to Said Special License Tax and Declaring an Emergency.

Received from the House, 559. First reading and reference, 588, Reported back, 811. Other action or amendments, 852, 853. Second reading, 853. To House, 851. Signed by President, 1010. Returned to House, 1020.

House Bill No. 346

House Bill No. 346. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State, County and Municipal Officers and Employees and Providing for Deduction of Salary and Pay.

Received from House, 454. First reading and reference, 471. Reported back, 799. To House, 826.

House Bill No. 349

House Bill No. 349. A Bill for an Act to Make Uniform the Law on Fresh Pursuit and Authorizing This State to Cooperate With Other States Therein; Providing for Arrests in This State by Officers of Other States, Defining the Terms "Fresh Pursuit," Providing for Certification to Other States; Saving Clause.

Received from House, 523. First reading and reference, 528. Reported back, 610. Second reading, 645. To House, 682. Signed by President, 876. Returned to House, 907.

House Bill No. 351

House Bill No. 351. A Bill For an Act to Amend and Reenact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 4, Chapter 283 of the Session Laws of 1931, as Amended by Section 2, Chapter 241, Session Laws of 1937, to Repeal Section 4 of Chapter 241 Session Laws of 1937; and Declaring an Emergency.

Received from House, 554. First reading and reference, 592. Reported back, 632. Other action or amendments, 686, 717. Second reading, 717. To House, 749. Signed by President, 873. Returned to House, 909.

House Bill No. 353

House Bill No. 353. A Bill for an Act to Amend and Reenact Sections 13 and 14, of Chapter 97 of the Session Laws of 1933, as Amended by Chapter 119 of the Session Laws of 1935, Relating to the Administration of County Poor Relief; and Declaring an Emergency.

Received from House, 559. First reading and reference, 589. Reported back, 703. Second reading, 783. To House, 806. Signed by President, 966. Returned to House, 972.

House Bill No. 354

House Bill No. 354. A Bill for an Act for the Regulation of Motor Trucks, Trailers, Semi-Trailers, and Busses, Relative to Size and Weights of Vehicles and Loads, and to the Taxation and Licensing of Such Vehicles in Operation Upon

the Highways of This State; and Amending and Re-enacting Sub-sections (c), (e) and (f) of Section 36, of Chapter 162 of the Session Laws of 1927, as Amended by Chapter 185, of the Session Laws of 1935, and Sub-sections (b) of Section 25, of Chapter 179, of the Session Laws of 1927, as Amended by Section 5, of Chapter 186 of the Session Laws of 1931; and Repealing Sub-section (c) of Section 25, of Chapter 179, of the 1927 Session Laws, as Amended by Chapter 180 of the Session Laws of 1935, and Sub-sections (d), (e), and (f), of Section 25, of Chapter 179, of the Session Laws of 1927; and Repealing All Other Acts or Parts of Acts in Conflict Herewith.

Received from House, 554.

First reading and reference, 594.

Reported back, 816.

Other action or amendments, 816, 886, 887, 888, 1033, 1034. To House, 913.

House Bill No. 356

House Bill No. 356. A Bill for an Act to Amend and Reenact Section 3186 of the Compiled Laws of North Dakota for 1913, Relating to the Preferment for Official Appointment, and Providing for Repeal of Any Acts in Conflict Herewith.

Received from House, 491. First reading and reference, 497. Reported back, 650. Second reading, 720. To House, 749. Signed by President, 873. Returned to House, 908.

House Bill No. 359

House Bill No. 359. A Bill for an Act to Amend and Reenact Section 189b3, 189b5, 189b9, 189b14 and 189b15 of Chapter 137 of the Session Laws of North Dakota for 1933, Relating to State Hail Insurance, Providing for the Manner of Taking Applications Therefor; Defining Duty of Hail Inspectors, Adjustors and County Auditors; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 521. First reading and reference, 529. Reported back, 717. Second reading, 825. To House, 835. Signed by President, 1008. Returned to House, 1018.

House Bill No. 362

House Bill No. 362. A Bill for an Act Amending and Reenacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Duties of Child Placement Agencies.

Received from House, 482.

First reading and reference, 491.

Reported back, 703.

Other action or amendments, 788, 849, 893, 906, 919, 941. Second reading, 784, 788, 920.

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To House, 810. Signed by President, 1006. Returned to House, 1020.

House Bill No. 364

House Bill No. 364. A Bill for an Act to Amend and Reenact Section 10322a3 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 130 of the Session Laws of 1929, Relating to the Game and Fish Department of the State of North Dakota.

Received from House, 586. First reading and reference, 594. Reported back, 703. To House, 749.

House Concurrent Resolution No. 365

House Concurrent Resolution No. 365. Relating to Amendment to Section 176 of the Constitution of the State of North Dakota.

Received from House, 556. First reading and reference, 593. Reported back, 797. Other action or amendments, 1034. Second reading, 1034.

House Concurrent Resolution No. 368

House Concurrent Resolution No. 368. A Concurrent Resolution Relating to Payments of Old Age Assistance, Aid to the Blind, and Aid to Dependent Children Grants to Ward Indians.

Received from House, 521. First reading and reference, 529. Reported back, 703. Second reading, 783. To House, 806. Signed by President, 965. Returned to House, 972.

House Bill No. 370

House Bill No. 370. A Bill for an Act to Amend and Reenact Sections 3684a3 and 3684a8 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913 Relating to the City Budget Law.

Received from House, 522. First reading and reference, 594. Reported back, 797. Other action, 941. Second reading, 910. To House, 930. Signed by President, 1008. Returned to House, 1018.

House Bill No. 372

House Bill No. 372. A Bill for an Act to Amend and Reenact Section 10954, Compiled Laws of North Dakota for 1913 Relating to Probation of Persons Convicted of Crime and the Duties of the Clerks of Court in Such Cases.

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Received from House, 522.

First reading and reference, 594. Reported back, 610. Second reading, 646. To House, 682. Signed by President, 876. Returned to House, 907.

House Bill No. 375

House Bill No. 375. A Bill for an Act to Amend and Reenact Sections 11105, 11106, and 11107, Compiled Laws of the State of North Dakota, for the Year 1913 Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board, and Providing for the Appointment of Parole Officers and Other Assistants, and Declaring an Emergency.

Received from House, 554. First reading and reference, 591. Reported back, 609. Other action or amendments, 627. Second reading, 781. To House, 805. Signed by President, 963. Returned to House, 971.

House Bill No. 377

House Bill No. 377. A Bill for an Act to Provide for the Licensing of Bee-Keepers and for Apiaries; for Issuance of License; for an Appropriation; for Penalties and Declaring an Emergency.

Received from House, 553. First reading and reference, 591. Reported back, 801. Other action or amendments, 942. Second reading, 914. To House, 938. Signed by President, 1006. Returned to House, 1020.

House Bill No. 385

House Bill No. 385. A Bill for an Act, Making an Appropriation for the Operating, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota and Declaring an Emergency.

Received from House, 560. First reading and reference, 589. Reported back, 609. Other action or amendments, 706, 817, 824. Second reading, 644. To House, 683. Signed by President, 873. Returned to House, 908.

House Bill No. 388

House Bill No. 388. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in any Business, Trade, Profession, Occupation or Calling, to be Measured by Gross Income, to Provide That This Tax Shall be a Replacement Tax to the Extent Herein Specifeid, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions From the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Declaring an Emergency.

Received from House, 491. First reading and reference, 497. Reported back, 801. Other action, 802. To House, 836.

House Bill No. 390

House Bill No. 390. A Bill for an Act Reserving to the State of North Dakota All Rights to Minerals, Natural Gas or Oil Which May be Found or Underlying All Lands Owned by the State of North Dakota or Hereafter Acquired by the State of North Dakota by Foreclosure, Quit Claim Deed or Otherwise; Declaring an Emergency.

Received from House, 554. First reading and reference, 591. Reported back, 798. Other action or amendments, 958, 968, 978, 982, 996. Second reading, 917, 997. To House, 938. Signed by President, 1068. Returned to House, 1073.

House Concurrent Resolution No. 391

House Concurrent Resolution No. 391. A Concurrent Resolution Expressing the Regrets of the Legislative Assembly at the Demise of a Former Representative, Rev. R. E. Strutz.

Received from House, 449. First reading and reference, 472. Adopted, 472. To House, 487. Signed by President, 550. Returned to House, 550.

House Bill No. 392

House Bill No. 392. A Bill for an Act Making an Appropriation of Three Hundred Forty-Three Dollars (\$343.00) for the Purpose of Paying the Funeral Expenses of Representative Ignatz Sticka of Stark County, and Declaring an Emergency.

Received from House, 553. First reading and reference, 590. Reported back, 595. Other action or amendments, 664. Second reading, 618. To House, 633. Signed by President, 687. Returned to House, 710.

House Bill No. 396

House Bill No. 396. A Bill for an Act Amending and Reenacting Section 189b11 of the 1925 Supplement to the Com-

piled Laws of North Dakota for 1913, as Amended by Section 10 of Chapter 137, Laws of 1933, in Reference to State Hail Insurance, Crop Affidavit, Insurability and Liens; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 556. First reading and reference, 589. Reported back, 660. Second reading, 773. To House, 805. Signed by President, 962. Returned to House, 969.

House Concurrent Resolution No. 397

House Concurrent Resolution No. 397. A Concurrent Resolution Commending That Higher Education Institutions Include in Teachers Training Courses Instruction Encouraging Cooperative Community Spirit and Activity.

Received from House, 793. First reading, 823. Adopted, 823. To House, 826. Signed by President, 965. Returned to House, 972.

House Concurrent Resolution No. 398

House Concurrent Resolution No. 398. A Concurrent Resolution Petitioning Congress to Make Appropriations Ample for the Road Program of the Fort Berthold Reservation.

Received from House, 839. First reading, 838. Other action, adopted, 838. To House, 854. Signed by President, 1007. Returned to House, 1018.

House Concurrent Resolution No. 399

House Concurrent Resolution No. 399. A Concurrent Resolution to Authorize the Board of Administration to Transfer Funds for the Purpose of Paving the State Capitol Grounds.

Received from House, 615. First reading and reference, 639. Reported back, 713. Second reading, 785. To House, 805. Signed by President, 965. Returned to House, 972.

House Concurrent Resolution No. 400

House Concurrent Resolution No. 400. A Concurrent Resolution to Extend an Invitation to Eamon DeValera to Visit the State of North Dakota.

Received from House, 639. First reading and reference, 702. Reported back, 781. Other action, 850. Second reading, 781. To House, 805. CXXXIV

Signed by President, 965. Returned to House, 972.

House Concurrent Resolution No. 402

House Concurrent Resolution No. 402. Memorializing Congress to Pass Such Legislation as May Be Necessary to Enable the Federal Government to Purchase Wheat, Corn, Barley, Oats, Spelts, Flax, Cotton, Rye and Other Agricultural Products and to Store Same in Suitable Local Government Terminal Elevators.

Received from House, 839. First reading, 838. Other action, adopted, 838. To House, 854. Signed by President, 1008. Returned to House, 1017.

House Concurrent Resolution No. 404

House Concurrent Resolution No. 404. A Concurrent Resolution Empowering William J. Lowe, Secretary of the Senate, and Minnie D. Craig, Chief Clerk of the House to Complete and Index Senate and House Journals of the Last Days of Session and Providing Compensation Therefor.

Received from House, 839. First reading, 859. Other action, adopted, 859. To House, 860. Signed by President, 1007. Returned to House, 1017.

House Concurrent Resolution No. 405

House Concurrent Resolution 405. Providing for Continued Employment and Compensation Thereof to Complete Records of Present Legislative Session.

Received from House, 839. First reading, 858. Other action, adopted, 858. To House, 860. Signed by President, 1007. Returned to House, 1017.

House Concurrent Resolution No. 406

House Concurrent Resolution No. 406. Providing for Employment and Compensation to Complete Final Record of All Bills of the 26th Legislative Session.

Received from House, 840. First reading, 838. Second reading, 838. To House, 854. Signed by President, 1007. Returned to House, 1017.

House Concurrent Resolution No. 407

House Concurrent Resolution No. 407. A Concurrent Resolution to Appropriate \$255.00 to Reimburse Members of Hospital Investigation Committee.

Received from House, 840. First reading, 860. Other action, adopted, 860. To House, 860. Signed by President, 1008. Returned to House, 1017.

House Concurrent Resolution No. 408

House Concurrent Resolution No. 408. A Concurrent Resolution to Establish a State Relief and Debt Survey Commission.

Received from House, 840. First reading and reference, 838. Reported back, 870. Other action, 1031. Second reading, 1032, 1035. To House, 1033. Signed by President, 1069. Returned to House, 1074.

House Concurrent Resolution No. 410

House Concurrent Resolution No. 410. A Concurrent Resolution Proposing the Appropriation of Twelve Thousand Dollars (\$12,000.00) or so Much Thereof as May Be Necessary for the Purpose of Paying the Salaries of the Legislative Employees of the 26th Legislative Assembly.

Received from House, 892.

First reading, 901.

Other action, adopted, 901.

To House, 912.

(Action not completed in House as it was found to be null and void.)

House Concurrent Resolution No. 411

House Concurrent Resolution No. 411. A Concurrent Resolution Recommending That the Bank of North Dakota, With the Approval of the Industrial Commission, Be Empowered to Make a Loan to the State Welfare Board.

Received from House, 1072. First reading, 1084. Other action, amendment, 1085, 1091. Adopted, 1085. To House, 1086. Signed by President, 1098. Returned to House, 1099.

House Concurrent Resolution No. 412

House Concurrent Resolution No. 412. A Concurrent Resolution Relating to Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

Received from House, 1096. First reading, 1097. Other action, adoption, 1097. To House, 1099.

Signed by President, 1103.

Returned to House, 1103.

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House Concurrent Resolution No. 413

House Concurrent Resolution No. 413. A Concurrent Resolution Recommending to the Public Welfare Board Method of Expenditure of Funds Appropriated for General Relief for the Biennium Beginning July 1, 1939 and Ending June 30, 1941.

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